

Before the National Green Tribunal Western Zone, Pune

At Pune

Appeal no. 132/2024 (WZ)

Tanaji B. Gambhire

... Appellant

V/s.

Union of India & others

... Respondents

Say by and on behalf of the Respondent no. 9 i.e. Vascon Engineers Ltd is as Under:

1. At the outset whatever stated in the Appeal filed by the Appellant is not maintainable either in law or on facts and the same is liable to be dismissed in limine, the allegations made by the Appellant are baseless, incorrect and not true & correct hence not admitted by this respondent and the same shall be rejected with cost.
2. It is humbly submitted by this respondent that the Appellant has not enlightened his relations with the respondents nor specified that, is he an aggrieved Unit purchaser or land owner of the said project developed by the respondent herein.
3. Further it is submitted that there is No Cause of Action ever aroused to file the present Appeal before this Hon'ble forum and same is not legally explained by the Appellant herein, hence this appeal shall be dismissed on ground of cause of action alone.
4. The respondent humbly submits the relief sought by the Appellant is in the nature of a declaration seeking to quashing

and setting aside the Environment Clearance (EC) Certificate dated 09/02/2024 issued by the respondent no.2 SEIAA in favour of this respondent. The same is hopelessly barred by time and on the ground of limitation the same shall be dismissed. The ground of limitation enumerated by the Appellant for condonation of delay is itself irrelevant and this being to appropriate ground for dismissing the present Appeal, hence the present appeal needs has to be dismissed on the ground limitation itself.

5. The respondent humbly submits that the Appellant is misconceiving the Hon'ble Tribunal with intent to unduly harass this respondent for the purpose of making unlawful gains. The Appellant intend to create unlawful hindrances in the development plans of this respondent through this Appeal. The appellant or anybody else other than this respondent does not have in any manner any right, title or interest over the suit Property. The conduct of the Appellant in filing this appeal has to be deprecated in the strongest possible manner to stop the abuse and due process of law.

6. The Appellant is trying to take undue advantage and his influence by challenging the appropriate Orders passed under principles of Sustainable Development conducted by the Project Proponent (PP) i.e. respondents herein and principles u/s. 20 of NGT Act 2021 are never violated by this respondent nor Section 24 of NGT (P&P) Rules 2011 was ever infringed by his respondent.

7. The respondent herein submits that it is a Company incorporated under the provisions of Indian Companies Act 1956 & 2013, having its registered Office at Vascon-Weikfield Chambers, behind Novotel Hotel, Pune- Nagar Road, Pune- 411014. This respondent is engaged in the business of Development and Construction of properties used for residential and commercial purposes. It is humbly submitted that the respondent has successfully completed its 38 year in the field of Development and Constructions business and is well recognition in the real estate community, the following projects of the respondent has also been rewarded; being the best project of its nature viz: Zircon Society at Vimannagar, Marigold at Vadgoansheri, Pune, Ela Hadapsar, Sulzon Building at Hadapsar, Pune etc. This respondent has a considerable reputation in the field of property development for executing various such projects in timely manner and without any irregularly or unlawful activity. The respondent herein is aware of its responsibility and has always abided all the rules and regulations as contemplated in any Act & Ordinance of the State and worked as per the procedure laid down therein. Even after releasing the said facts the Appellant with malafide intention have filed this appeal against the respondent with illegal motive to harass the respondent herein.

8. Without prejudice to the aforesaid contentions the respondent herein denies all the contention of the appellant made in the present Appeal unless specifically admitted by this respondent and further whatever is not admitted is deemed to be specifically denied and accordingly this respondent is submitting

its Written Say and para-wise commits as per the details mentioned herein under;

9. The Appellant is trying to take undue advantage and causing his influence by challenging the appropriate Environment Clearance Orders passed under principles of Sustainable Development conducted by the Project Proponent (PP) i.e. respondents herein further, the respondent herein has never violated principles u/s. 20 of NGT Act 2021 nor Section 24 of NGT (P&P) Rules 2011 was ever infringed by his respondent.

10. The respondent herein submits that it is a Company incorporated under the provisions of Indian Companies Act 1956 & 2003, having its registered Office at Vascon-Weikfield Chambers, behind Novotel Hotel, Pune- Nagar Road, Pune- 411014. This respondent is engaged in the business of Development & Construction of properties of residential and commercial purposes. The respondent has successfully completed its 38 year in the field of Development and Construction business and is well recognition in the real estate community, the following projects of the respondent has also been rewarded; being the best project of its nature viz: Zircon Society at Vimannagar, Marigold at Vadgoansheri, Pune, Ela Hadapsar, Sulzon Building at Hadapsar, Pune etc. This respondent has considerable reputation in the field of property development and for executing various such projects in timely manner and without any irregularly or unlawful activity. The respondent herein is aware of its responsibility and has always abided all the rules and regulations as contemplated in any Act & Ordinance of the State

and worked as per the procedure laid down therein, however even after releasing all the said facts, the Appellant with malafide intention have filed this appeal against the respondent with an illegal motive to harass the respondent.

11. Without prejudice to the aforesaid contentions the respondent herein denies all the contention of the appellant made in the present Appeal unless specifically admitted by this respondent and further whatever is not admitted is deemed to be denied and accordingly this respondent is submitting its Written Say and its para-wise commits as mentioned in details herein under;

1. The Contents of Para 1 of the present Appeal is with respect to the address of the Appellant as well as Respondents for Service of Notice, so far as the address of this Respondent is concern the present respondent does not wish to comment upon the same however as regards the address of the Appellant, and the addresses of the other respondents, it is necessary for the Appellant to strictly prove the same, however pertaining to the address of Respondent no. 9 are true and correct and the Notice was received by the respondent no. 9 on the same address;

2. The contents of Para no.2 of the Appeal are not admitted by this respondent and is hereby denied in toto, the Appellant allegedly seeking to quash and set aside the impugned ex-post facto illegal Environment Clearance (EC) Order no. **EC24B038MH185370 dated 09.02.2024** due to non functioning of SEIAA Members being the tenure is expired on 10/01/2024 is

not admitted to this respondent. The Order of Environment Clearance (EC) no. **EC24B038MH185370** is though passed on **09.02.2024** the same is in conformity with Memorandum dated **07/07/2021** and the SEIAA was fully functioning at the relevant time and therefore the said order is totally legal, lawful and permissible passed by the authority. It is the facts that the Respondent No. 2- SEIAA, Maharashtra & its members had issued the said Environment Clearance (EC) Order no. **EC24B038MH185370** dated **09.02.2024** under MOEFCC Office Memorandum dated 07.07.2021 in favour of Respondent No. 9 i.e. Project Proponent (PP) and the same is procured by Respondent No. 9-PP from SEIAA Members. The respondent states and submits that it is crystal clear that respondent no. 2 i.e. SEIAA has followed all the protocols under the said Act, before passing the impugned Order under challenge. The respondent herein is enlightening before the Hon'ble Tribunal, the actual fact and circumstances occurred during the procurement of revised EC Order required to be obtained by the respondent no. 9.

a) The respondent no. 9 being desirous of developing the land admeasuring an area 19191.73 sq. mts situated at Final Plot No. 331, Sangamwadi T.P Scheme, North Main Road, Koregaon Park, Pune-411001, within the local limits & jurisdiction of the Pune Municipal Corporation and accordingly entered into the Single Joint Venture Agreement dated 06/02/2003 with the land Owners therein and the said S.J.V Agreement is registered vide Deed of Confirmation dated 22/03/2004 before the Sub-registrar Haveli no.XI under Serial no. 1780/2004 at Pune for the Joint Development of the residential/Commercial Project, under the

name and style "WINDERMERE" and hereinafter referred as the 'said land'.

b) The respondent herein submits that after entering into the said S.J.V. Agreement dated 06/02/2003 the respondent no.9 being desirous to develop the said land, it is required to seek permission from the concerned authorities as per the required norms of the Development Authority ,furthermore the said land, consist the total area of more than 2,00,000 Sq.ft. (FSI potential) it is mandatory to obtained Environment Clearance Certificate from the concerned Authority. Accordingly, the respondent no.9 has filed a proposal before Ministry of Environment, Forest and Climate Change (Issued by the State Environment Impact Assessment Authority,(SEIAA) Maharashtra for obtaining the EC for development of the said project on the said land.

c) It is further humbly submitted by this respondent herein that as per the market conditions and the Consumer demand the respondent intended to develop the Residential cum Commercial project on the said land hence, filed an application for such Environment Clearance (EC) Certificate from the concerned department. Accordingly, after verification of all the documents the said proposal was considered and as per the EIA Notification-2006, the State Level Expert Appraisal Committee Maharashtra in its 47th meeting, decided to recommend the project for prior environmental clearance to SEIAA, and the same was considered by SEIAA authority in its 42nd Meeting held on 8th and 9thDecember 2011, it was pleased to issue the Environment Clearance (EC) no. SEAC-2010/CR.669/TC.2 Dated

20/01/2012 in favour of the respondent no. 9 for Residential cum Commercial Development of project with the total potential plot area 19,191.63 sq. mts and for the proposed total built-up area of 42,526.36 sq. mts (excluding parking) with an estimated cost of Rs. 98.69 Crores only on the terms and Conditions mentioned therein. The Copy of the said Environment Clearance (EC) Order no. **SEAC-2010/CR.669/TC.2 dated 20/01/2012 annexed herewith as Exhibit No. 1.**

d) It is further humbly submitted by the respondent herein that, simultaneously the respondent herein applied for Consent to Establish at the office of Maharashtra Pollution Control Board (MPCB) i.e. respondent no. 7 and accordingly paid the requisite fees of Rs.75,000/- on 21/06/2011 and Rs 50,000/- on 05/01/2012 respectively the total Construction BUA of **42,700.21 sq. mts** including utilities of residential cum commercial project as per the Commencement Certificate issued by local body. Accordingly, the said Consent to Establish bearing no. EIC no. PN-11466-11 Infrastructure Project /LSI, Consent No. **BO/RO(HQ) /Pune /CE/ CC-42 dated 09/03/2012** was received by the respondent from respondent no. 7. The Copy of the said Consent to Establish no. **BO /RO (HQ) /Pune/ CE/ CC-42 dated 09/03/2012 annexed herewith as Exhibit No. 2.**

e) It is further submitted by the respondent herein that as per the terms and condition of EC and Consent to Establish and in pursuance to the plan sanctioned by the Pune Municipal Corporation, at Pune the respondent herein commence the development activity on the said land and completed the part

construction of 2 Residential Buildings and club House for total BUA area **31,335.06 sq. mts** out of total construction BUA area **42,526.36 sq. mts** including utilities and services in the said project. In furtherance to the completion of part construction activity the respondent herein made an application vide UAN no. 061302 dated 27/11/2018 for issuance of Consent to Operate (part). Accordingly, the Maharashtra Pollution Control Board At Mumbai (MPCB) i.e. respondent no. 7 after scrutinizing all the required norms and as per the Minutes of 4th Consent Committee Meeting (Part-I) held on 13/08/2019 issued the said Order of Consent to Operate (part) for completing the Construction of Residential building of the said project and granted under Orange category Infrastructure/Orange/LSI Consent order no 1.0/BO/JD (WPC) UAN – 061302/CC-1910000059 dated 01/10/2019 with respect to the said land potential and for the part development of the said project. It is further submitted that the respondent, also paid the requisite fees of Rs.3,45,420/- on 19/01/2019 and provided a Bank Guarantee of Rs. 10,00,000/- (Rs. Ten Lacs only) as per the said order. Thereafter the said Consent to Operate (part) was received by the respondent no. 9. The copy of said Consent to Operate Order (part) vide UAN no. 061302 dated 01/10/2019 is **annexed herewith as Exhibit No. 3.**

f) The respondent herein submits that, the Consent to Establish issued on 09/03/2012 was granted for the period of 5 years as per the norms and procedures of the MPCB i.e. respondent no. 7, and the same needs to be renewed after an interval to carrying out the remaining development in the said project. Accordingly, an application vide UAN no.0000069454

dated 19/03/2019 was made by the respondent herein at the office of MSCB i.e. respondent no. 7 for the said revalidation/ Renewal of Consent to Establish. The respondent herein submits that, further pursuant to the Minutes of 3rd Consent Committee Meeting (Part-III) held on 09/08/2019, the Order of revalidation of Consent to Establish is granted vide no. Format 1.0/BO/JD (WPC) UAN-069454/CE/CC-1909000373 dated 13/09/2019 and the same issued to the respondent herein. Further, the requisite Consent fees of Rs.3,85,980/- was paid by the respondent on 30/03/2019 and also a Bank Guarantee of Rs. 10,00,000/- (Rs. Ten Lacs only) was furnished by the respondent as per the said order. The copy of said Revalidation of Consent to Establish vide no. Format 1.0/BO/JD (WPC) UAN-069454 / CE/ CC-1909000373 dated 13/09/2019 is **annexed herewith as Exhibit No.4.**

g) The respondent further humbly submits that as per the Market Scenario/ Condition and less Consumer demand, the respondent herein was required to Curtail the Commercial Development in the said land and was further intending to develop the Residential Project on the said remaining portion of said land, the said change/revisions requires amendment in EC obtained and others sanctioned plans for said revised Construction from Commercial into Residential usage. Accordingly the respondent applied for a revise sanctioned in the plans before the PMC by calculating all the revision area available for construction of residential project on the said land. Furtherance to it, the respondent herein also filed an application dated 11/04/2019 for considering their proposal in the

forthcoming meeting to be held by the said authority and to consider their proposal of amendment in Environment Clearance (EC) no. SEAC-2010/CR.669/TC.2 dated 20/01/2012 issued for the said project which was valid and ongoing, and also provided a comparative statement inter-alia that there will be reduction in built-up area by 12% of the existing development involving conversion of commercial building into 4 residential bungalows. The copy of said application considering the proposal dated 11/04/2019 is **annexed herewith as Exhibit No. 5.**

h) The respondent further humbly submits that as per the Market Scenario/ Condition and a Corona Pandemic occurred during that period, a lock-down was implemented all over the country and because of said issues, the respondent herein were required to Curtail the Commercial Development in the said project and further intended to develop the Residential Project on the said remaining portion of said land, the said changes require the revision of EC, CTE, CTO and others sanctioned plans for revised Construction activity and Change of Use from Commercial into Residential i.e. C to R on the said land, accordingly the respondent applied a revisions in sanctioned plans before the PMC by calculating all the revised area available to construct the residential project on the said land.

i) Thereafter an application dated 29/10/2021 was filed by the respondent no. 9 herein in the office of respondent no.2 i.e. SIEIAA, Mantralay, at Mumbai for procurement of **revised EC** under EIA Notification 2006- Category 8a; inter-alia stating that : there is a changed in design of the plans for the said project as

per the market need and instead of Commercial Building the respondent is proposing the construction of residential bungalows on the said remaining portion land and said change will rather reduce the foot print of the people, to the large extent and BUA of the said Bungalows will be also less than the previous Commercial Building sanction, thus it will reduce the overall adverse environmental impact too. The said application dated 29/10/2021 is **annexed herewith as Exhibit No.6.**

j) It is submitted by the respondent herein that, after due scrutinisation of the said applications by the office of respondent no.2 and 3 SEAC deliberation stated that, the SEAC III, in its 135th meeting dated 15/02/2022 and examined the case of respondent and referred the same to SEIAA for verification of violation and thereafter SEIAA in its 247th meeting heard the case of respondent; wherein it was informed to SEIAA that they are voluntarily accepting the violation and as there is a delay in filling the Application for revised EC, the respondent no.9 is required apply afresh office memorandum under the head of **Violation category.** Furthermore, all the facts are considered in the said SEAC Deliberation on the basis of documents submitted and the presentation made by the respondent therein, thereafter the SEAC committee decided to recommend the proposal for initiation of necessary action. The copy of said Office Memorandum dated 7-7-2021 is **annexed herewith as Exhibit No. 7.**

k) It is submitted by the respondent no. 9 that, thereafter as per the procedure respondent herein, filed new application under

violation category on 05/04/2022 vide application no. SIA/MH/MIS/74806/2022 and informed that they have received Auto granted Terms of Reference (TOR) vide letter dated 06-04-2022 and further stated that, they submitted EC application under violation category vide Proposal SIA/MH/Infra2/403183/2022 (Voluntary Disclosure) on 19-10-2022 for total built up area 54,000.00 Sq.mt. **The application dated 18/10/2022 filed under violation category is annexed herewith as Exhibit No. 8**

Accordingly, SEAC-3 appraises the proposal as per Circular dated 22/08/2022. The Proposal submitted by the respondent herein is of expansion of existing construction project. The said Project has received earlier vide EC vide no. SEAC-2010/CR.669/ TC 2 Dated 20/01/2012. SEAC in its meeting refer the proposal for violation as PP has changed the profile in comparison earlier Environmental clearance. The case was discussed on the basis of the documents submitted and presentation made by the respondent herein and all issues relating to environment, including air, water, land, soil, ecology, biodiversity social aspects were examined and the proposal was appraised as category 8 (a) B1 in favour of respondent herein.

Hence as per the minutes of 256th Day 1 (part C) meeting of SEIAA on 19th April 2023 after deliberation decided to grant EC for -FSI 26338.16 m2, Non FSI-27661.84 m2, Total BUA-54000.00 m2 vide approved plan no. CC/2952/17 dated 6/02/2018. The copy of said minutes dated 19th April 2023 is annexed herewith as Exhibit No. 9. SEIAA after deliberation decided to grant Environment Clearance subject to compliance of the following condition to respondent herein.

➤ PP to submit Bank Guarantee of Rs. 1.00 Crore towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan, PP to implement remediation plan and Natural and Community Recourse augmentation Plan within 6 months from grant of this Environment Clearance. PP also to submits penalty of Rs. 25.25 Lakhs with the MPCB etc;

l) The respondent herein further states that thereafter, an amount of Rs.25,25,000/- (Rs. Twenty -Five Lacs Twenty Five Thousand only) was paid by the respondent no. 9 herein and also procured the Bank Guarantee of Rs.1,00,000/- (Rs. One Crores only) and handover the same to respondent no.2. Thereafter, Copy of Order along with Environment Clearance (EC) **EC24B038MH185370 dated 09.02.2024 was issued to the respondent no. 9. Hence the said revised Environment Clearance (EC) EC24B038MH185370 dated 09.02.2024 is valid and legal.** The Copy of the said Environment Clearance (EC) no. **EC24B038MH185370 dated 09.02.2024 annexed herewith as Exhibit No.10.**

m) The respondent herein reiterates that, the 256th Day 1 (part C) meeting of SEIAA held on 19th April 2023 and **the Minutes of the Meeting were passed;** the sanctioning authority was functioning and their tenure was on going, and all the deliberation before granting the EC were conducted & followed by the said authorities, hence now it cannot be termed or treated as ex-post facto E.C. order and the Appellant is necessarily required to challenge the said Minutes of Meeting, which has

regulated the revised EC Application under violation scheme, and without challenging the same the Appellant is unwarrantedly challenging the said Revised EC under Violation Scheme, granted as per the Minutes of Meeting dated 19/04/2023, on the technical ground of Clearance is regulated, however certificate was not issued, and thus the Appeal is not tenable in the eyes of law.

n) The respondent state that, because of the residential Bungalow construction activity the FSI penitential was substantially deceased, the Environment Clearance (EC) **SEAC-2010/CR.669/TC.2 dated 20/01/2012** obtained by the respondent no. 9 was of full usable potential of plot area **19,191.63 sq. mts** and for the proposed total built-up area of **42,526.36 sq. mts** (excluding parking), and the revised Environment Clearance (EC) **EC24B038MH185370 dated 09.02.2024** is of usable potential of **FSI 26338.16 m2, Non FSI-27661.84 m2, Total BUA- 54000.00 m2**. Pursuant to which the respondent herein is doing construction activity on the said land as per the said EC order, hence it is not true to state that the respondents are trying harm by any means the Mother Nature and liable to pay the Environment Damage Compensation, the respondent has always abide and tried to save the mother Nature by all means. Moreover the Appellant has nowhere explained that how the said EC Certificate or activity which is regulated under the Violation Scheme, harms the mother nature and therefore the Appellant is trying to portray crocodile tears and gain unwarranted sympathy from this Hon'ble Court.

3. The contents of Para no. 3 of the appeal memo are hereby denied as the written Issues filled by the Appellant is irrelevant and not admissible in the evidence as lead by the Appellant herein and need to be quashed and cannot taken into consideration.

a) Whether the impugned EC can be granted when the SEIAA is not in operation & functioning due to its expiry of tenure since 10/01/2024?

b) Whether the SEIAA & SEAC-III have followed the due process of law and also, the procedures, law laid down by Hon'ble Supreme Court and Hon'ble NGT Rulings while preceding the Application for ex-post facto EC?

c) Whether the Conduct of SEIAA, SEAC-III members & PP are in collusion and needs strict legal action?

d) Whether the impugned EC is tenable in the eyes of law being ex-post facto EC and issued under the OM dated 07.07.2021 and without establishing the exceptional circumstances for such grant?

e) Whether the Application for ex-post facto Environment Clearance can be filed under OM dated 07.07.2021 and same can be processed in contravention of provisions of EIA Notification, 2006?

- f) Whether the Appraisal & Assessment of proposal based on the false, misleading data & information submitted by PP on account of illegal construction, Calculation of EDC, Penalty and accepted by SEIAA & SEAC-III without application of mind is scientific?
- g) Whether the Penalty imposed on PP & Bank Guarantee against the EDC can help PP to get escape from his liability?
- h) Whether the principle of sustainable development is followed by SEAC-III & SEIAA while calculating and imposing the Environmental Damage & Penalty on PP?
- i) Whether the construction of project for expansion by increasing scope of project without prior EC & also, on the basis of ex-post facto permission EC is permissible?
- j) Whether there is any adverse impact on environment & ecological balance by illegal construction of project?

All the above stated **WRITTEN ISSUES** are not required to be framed and are baseless and without any merits, pleadings, impact assessment, and hence the Appeal itself required to be dismissed being unwarranted and based on assumptions, which has no value in law.

4. The Contents of Para no. 4 and its sub-Para are hereby denied by this respondent the **FACTS DISCLOSING THE INFORMATION OF APPELLANT, R-9:PROJECT**

PROPONENT (PP) AND ALSO FACTS LEADING TO THE PROJECT cannot be CHALLENGE by the Appellant and therefore need to be quashed into-too:

a) The allegation in para no. 4.1 that the appellant being an Advocate, vigilant citizen, RTI & Environment Activity, whistleblower and the duty bound citizen under Article 51A (g) of constitution would like to bring the illegal activity of SEIAA & its former officials to the knowledge & notice of this Hon'ble NGT with earnest intention to prevent such illegal activities in view to abuse of process of law & arbitrariness of former member of SEIAA and therefore filed the present Appeal challenging the orderdated09.02.2024 in illegal manner after expiry of tenure of ex-post facto EC dated SEIAA on 10.01.2024 the said fact are **totally false statement and not admitted by this respondent, the Appellant is trying to misleading the Hon'ble Tribunal by filling such meritless application and further taking undue advantage of the technical glitches by filling such application.**

b) In para no. 4.2 the appellant alleges that PARTICULARS OF PROJECT PROPONENT (PP) AND PROJECT UNDER CHALLENGE: That, the Respondent No. 9: M/S. VASCON ENGINEERS LTD. is the Project Proponent (PP)/developer/builder who have undertaken the illegal development on a land admeasuring an area of 19191.73 M², in the name & style "Windermere", situated at Final Plot No. 331, Sangamwadi T.P Scheme, North Main Road, Koregaon Park, Pune-411001 within the local limits & jurisdiction of the Pune Municipal Corporation (PMC) in contravention of environment

protection norms, rules, notifications and carried out the substantial illegal construction by increasing scope of project with expansion in violation of terms and conditions & after expiry of EC dated 20.01.2012 and violation of CTE with gaps therein. That the PP is the profit making at the cost of Mother Nature and liable to pay the Environment Damage Compensation as the PP is the responsible for the violations in collusion with government authorities. Moreover, this is admitted case of violation as PP himself have admitted the violation. Therefore, PP have adopted the careless reckless & practices in protection of environment & ecology. **All these assertions made by the Appellant in the said paras are not true and hence denied by the Respondent no. 9 herein and it is incorrect to state that there are any illegal activity undertaken by the PP on the said land and/or any contravention of environment protection norms, rules, notifications are carried out and further the substantial illegal construction by increasing scope of project with expansion in violation of terms and conditions & after expiry of EC dated 20.01.2012 and violation of CTE with gaps therein. And the PP is making profit at the cost of Mother Nature and liable to pay the Environment Damage Compensation as the PP is responsible for the violation in collusion with the government authorities, are not true and correct and the respondent herein denies the same. Further it is not true to state that the Respondent no. 9 i.e. PP has himself admitted the case of violation and adopted the careless reckless & practices in protection of environment & ecology.**

c) The Contents of Para 4.3 is incorrect and base on the incorrect facts and the respondent hereby denies the same, the R-9-PP procured the ex-post facto EC dated 09.02.2024 (ANNEXURE-A-1of the Appeal Memo) from SEIAA on the basis of false, baseless, misleading information as well as draft/incomplete EIA, Damage assessment, erroneous ToR, without establishing the case for grant of EC under exceptional category, in abuse of process of law, without following due process of law etc. and SEIAA having no powers to consider the EC on the basis of Applications filed under MoEFCC Office Memorandum dated 07.07.2021 and also, in contravention of provisions of EIA Notification, 2006 and law laid down by Hon'ble Supreme Court and Hon'ble NGT in various judgments. That the grant of impugned EC is in total misuse of discretion by R-4 to R-5. Therefore, this EC shall be quashed & set aside being null, void, illegal, bad in the eyes of law. The Appellant needs to prove it strictly before this Hon'ble Tribunal.

d) The Contents of Para 4.4 are incorrect and not true and correct, the respondent hereby denies that on 14.09.2006 (ANNEXURE-A-2 of the Appeal Memo), MoEFCC issued Environment Impact Assessment (EIA) Notification mandating prior EC for building construction project having total built-up equal or more than 20000 M² and also, for Area Development having total land area admeasuring more than 50 Ha or Township project having total BUA more than 150000M². However, the Respondent No. 9-PP failed to obtain the prior EC just due to intentional negligence & ignorance of law considering himself as above the law and not in equality before law and now, procured

the impugned ex-post facto EC dated 09.02.2024 in illegal manner in collusion with SEAC-III & SEIAA Members, more specifically R-6-Mr. Pravin C. Darade. All the allegation made by the Appellant needs to prove it strictly before this Hon'ble Tribunal.

e) The Contents of Para 4.5 are incorrect, not true and correct, the Appellant needs to prove the same with relevant documents, the respondent hereby denies that MoEFCC vide its notification dated 28.02.2014 (ANNEXURE-A-3of the Appeal Memo) have delegated the powers to SEIAA to take legal actions under EIA Notification, 2006 as well as U/s. 5 of the Environment (Protection) Act, 1986. That as per the MoEF notification dated 28.02.2014, PS-DOE have no power to deal the violation cases under EIA Notification, 2006 and only SEIAA have the powers to deal with the violation case for taking legal action as stated therein. Whereas the Appellant has not explained as to why and how the said PS DoE is not having the power to regulate the violation cases under EIA Notification.

f) The Contents of Para 4.6 is incorrect and not true and correct, the respondent hereby denies that, the MoEFCC had issued Notification-2017 vide dated 14.03.2017 (ANNEXURE-A-4of the Appeal Memo) for finalizing the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006 and those are under

violations of EIA Notification-2006 and that this notification provided a time period of 6 months window for violators to apply for post facto Environmental Clearance and one-time measure.

g) The Contents of Para 4.7 is incorrect and not true and correct, the respondent hereby denies that, the MoEFCC issued SO 1030(E) Notification, vide dated 08.03.2018 (ANNEXURE-A-5 of the Appeal Memo) for amendment in clause 13 (2), (4), (5), (6), (7) of Notification of 14.03.2017 and sub-delegating the powers from Central Level to SEAC & SEIAA for considering the proposals of Category- B projects.

h) The Contents of Para 4.8 is incorrect and not true and correct, the respondent hereby denies that the MoEFCC issued Office Memorandum vide dated 15.03.2018 (ANNEXURE-A-6 of the Appeal Memo) for implementation & dealing of proposal by SEAC/SEIAA received under notification dated 14.03.2017.

i) The Contents of Para 4.9 is incorrect and not true and correct, the respondent hereby denies that, the MoEFCC issued Office Memorandum vide dated 16.03.2018 (ANNEXURE-A-7 of the Appeal Memo) for extension of period by one month for implementation & accepting the proposal under notification dated 14.03.2017 as per the Order of Hon'ble Madras High Court.

j) The Contents of Para 4.10 is incorrect and not true and correct, the respondent hereby denies that, the MoEFCC issued Office Memorandum vide dated 04.01.2019 (ANNEXURE-A-8

of the Appeal Memo) for standardization of Environment Clearance Conditions.

k) The Contents of Para 4.11 of the Appeal memo that, the Letter of Scientist-2 Environment, Government of Maharashtra to Chairman of SEAC-1, 2 & 3 vide dated 30.01.2019 (ANNEXURE-A-9 of the Appeal Memo) for Consideration of proposals involving violation of EIA Notification, 2006 amended till date based on "An Approach for Assessment for Environmental Damage And Estimation of Remediation Costs For Building Construction Projects initiated without obtaining mandatory Environmental clearance (Violation Cases)". This letter & report is not the law passed by any legislative body like Government of Maharashtra as well as Government of India or Hon'ble Supreme Court. Therefore, such letter cannot be relied upon while computing the environmental damage assessment as this letter gives rise to the complete discretion to the PP & SEIAA to choose the input parameters less computation of damages. The Appellant is trying to mislead the Hon'ble Tribunal, all the legal procedures are followed by the Respondent for obtaining the revised EC the Appellant is taking irrelevant and unnecessary objection to the orders issued by the SEAC further trying to take irrelevant objection for their unlawful claims. Hence on the said ground only the appeal may kindly be dismissed.

l) The Contents of Para 4.12 of the Appeal Memo that on 11.01.2021 (ANNEXURE-A-10 of the Appeal Memo), MoEFCC constituted New SEIAA and tenure of this SEIAA Members was

valid for three years i.e. upto 10.01.2024 is incorrect and not true and correct, the respondent hereby denies the same, the Appellant is necessarily be required to be directed to strictly prove that the expiry of the period causes non-delegation of power of issuing the pending certificates as per the Memorandum earlier granted.

m) The Contents of Para 4.13 of the Appeal Memo that, the MoEFCC issued Office Memorandum vide dated 07.07.2021 (ANNEXURE-A-11 of the Appeal Memo) for Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ. This OM is pursuant to the MoEFCC Notification dated 14.03.2017 and procedure for the implementation of Notification dated 14.03.2017, The Appellant needs to prove it strictly before this Hon'ble Tribunal.

n) The Contents of Para 4.14 of the Appeal Memo that, the MoEFCC issued Office Memorandum vide dated 28.01.2022 (ANNEXURE-A-12 of the Appeal Memo) for on Observation of Hon'ble Supreme Court with reference to the SoP dated 07.07.2021 for identification and handling of violation cases under EIA Notification 2006. The Respondent has followed all the Observation of Hon'ble Supreme Court with reference to the SOP dated 7/7/2021 and it is not true to state that the respondents has failed to follows the said SOPs, hence the statement of Appellant is denied by respondent. The Appellant needs to prove it strictly before this Hon'ble Tribunal.

o) The Contents of Para 4.11 of the Appeal Memo that on 02.01.2024 (ANNEXURE-A-13, Colly. of the Appeal memo), that the "Vanshakti" NGO have challenged the MoEFCC-OM before Hon'ble Supreme Court in WP (C) No. 1394/2023, wherein Hon'ble Supreme Court have stayed the operation of this MOEFCC-OM dated 07.07.2021. That on 02.02.2024, the Hon'ble Supreme Court in WP (C) No. 1394/2023 have clarified the order dated 02.01.2024 and it is clear that the PP cannot avail this benefits. The facts of the case filed by the Vanshakti is pertaining to the Cutting of Trees by the respondents therein without obtaining permission from the concerned authority, moreover, the Hon'ble S.C. has further clarified the Order dated 02/01/2024 will not come in the way of competent authorities considering proposals for modification/alterations in the Environment clearance if the area of the project has valid environment clearance prior to 07/07/2021, In the present case the respondent has already had the EC of the entire project which is valid & still on going as the respondent has obtained the receive Consent to Operate and Consent to Establish however as per the market conditions and demand the respondent needs to receive the construction plans from Commercial to residential which has certain the Environmental harms as the Only The residential units are going to be constructed in the remaining land and because of which the Environment will also not harm. Hence, the Appellant is trying to misled the facts and order passed for staying the above matter which is not the case in present scenario.

p) The Contents of Para 4.16 of the Appeal Memo that on 20.01.2012 (ANNEXURE-A-14 of the Appeal memo), PP procured the first Environment Clearance from SEIAA for TBUA 42526.36 M2 for two residential building with 80 tenements and one commercial building is true and correct and admitted by this respondent. However rest of the contents and allegations in the said para are specifically denied.

q) The Contents of Para 4.17 of the Appeal Memo that on 13.09.2019 (ANNEXURE-A-15 filed alongwith the Appeal Memo), PP procured the revalidation of CTE from MPCB is an admitted fact.

r) The Contents of Para 4.18 of the Appeal Memo that on 21.02.2023 (ANNEXURE-A-16 filed in the Appeal Memo), PP applied for the ToR for obtaining the ex-post facto EC under MoEFCC-OM dated 07.07.2021 are not true and correct and hence the respondent denies the same. Further it is not true to state that the Application of PP for ToR itself is defective on account of misleading information on account of Building Material, Consent Details, Ground Water use, Open Space, completed Construction Area etc. The Respondent reiterate that as per the market condition and demand the respondent no.9 constrained to change the Commercial Environmental Clearance obtained earlier to the residential Bungalow construction and for the said revised construction activity this Respondent has followed all due procedures as required by Concerned Authority

s) The Contents of Para 4.19 of the Appeal Memo that on 06.04.2022 (ANNEXURE-A-17 filed by Appellant), the auto-generated ToR were received without appraisal & assessment from SEAC & SEIAA are not true and correct and the same is denied by this Respondent The Appellant needs to clarify the same to this Hon'ble Tribunal.

t) The Contents of Para 4.20 of the Appeal Memo that on 19.10.2022 (ANNEXURE-A-18 filed by the Appellant), PP applied for EC for the expansion of the project by admitting the violation under MoEFCC-OM dated 07.07.2021 without submitting EIA Report and this application is considered by SEAC-III & SEIAA in illegal manner as no application for ex-post facto EC can be filed under MoEFCC-OM dated 07.07.2021 and this MoEFCC-OM dated 07.07.2021 is nothing but only procedure for the MOEFCC Notification dated 14.03.2017. and PP have already completed the construction at site without prior EC for expansion and sought ex-post facto EC in illegal manner. That there is no EIA Report and no details for important chapter on Damage Assessment; all the contention of the Appellant in the forgoing para is not true and correct and hence not admitted by this respondent, it is not correct to state that the respondent herein has applied for the expansion of the project the true and correct fact is that the Respondent has already received the EC for the entire project vide the EC for development and construction on the said plot of land however due to certain changes in market scenario and hence needs to reduce the total construction activity and has filed an application for receiving the EC Order, moreover since the delay has been occurred due to the

earlier procedural formalities and the Department has informed to file the application under Delay condonation portal, further it is not the case that respondent has already completed the construction at the site without prior EC for expansion and sought ex-post facto EC is not true and denied by the respondent. The Construction on the said site is still under progress and only upon receiving the customer the Respondent will be unable to initiate the construction activity on the said site. Further nowhere the Appellant has pleaded how the same is illegal.

u) The Contents of 4.21 that on 29.11.2022 (ANNEXURE-A-19 filed by appellant), SEAC-III apprised the project in its 159th meeting without Application of mind as there was no EIA Report giving details of "Construction of Project, Building Material used & required, Commissioning of Project, Assessment of Damages, Calculation of Cost of remediation plan and natural & community resources, augmentation plan, Allocation of Damage EMP Costing. However, these points are directly reflecting in minutes and from where these data is coming. Also, SEAC-III accepted the penalty and Damage assessment values without remorse. Basically, SEAC-II has no powers to apprise, assess, and impose such penalty & EDC under the provisions of EIA Notification, 2006 is not true and correct, it is further incorrect to state that vide 159th meeting is without application of mind and there was no EIA report filed to the application.

v) The Contents of the Para 4.22 of the Appeal Memo states that on 19.04.2023 (ANNEXURE-A-20 of the Appeal memo), SEIAA assessed the project in its 259th meeting and took the line

of SEAC- III. Also, SELAA have finally decided to grant the EC, subject to compliance of conditions.

- w) The Contents of the Para 4.23 of the Appeal Memo states that being aggrieved and dissatisfied with the grant of impugned ex-post facto illegal EC dated 09.02.2024 despite intentional gross violations of Environmental norms having repercussions on public at large, Appellant has filed a present Appeal seeking quashing & setting aside of said impugned EC dated 09.02.2024 as well as direction under precautionary principles on the grounds is totally incorrect and the respondent herein denies the same and further advance its para wise reply with explanation which is as follows;
- x) The GROUNDS FOR QUASHING OF IMPUGNED EC AND ALSO, SHOWING THE VIOLATIONS OF PP AND DAMAGE TO THE ENVIRONMENTAL & ECOLOGICAL IMBALANCE are not admitted to this respondent and the same needs to be dismissed on the ground of misleading facts and circumstances:
- i. The Contents of the Para 5.1 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that the SEIAA WAS NOT IN OPERATION ON THE DATE OF GRANT OF IMPUGNED EC: That the tenure of SEIAA expiry on 10.01.2024 as per the Notification dated 11.01.2021, then Respondent No. 3-Shri. Pravin C. Darade being former member secretary have no powers to grant such EC and this EC is granted by abuse of process of law & Abuse of

discretion and also, such grant of EC is not objected by PP. The Respondent no. 3 has verified all the documents and procured all the necessary documents by following the due procedure as lead down in the act and thereafter passed the Order of revised EC in the 256th Day 1 (part C) meeting of SEIAA held on 19th April 2023 and hence now one cannot take undue advantage and state that since the tenure of the SEIAA was expired in 10/01/2024 the Order passed as per Notification dated 11/01/2021 is Ex-post facto or illegal in the eyes of Law. Further the EC is not granted on 09/02/2024, only Certificate is issued on the said date.

- ii. The Contents of the Para 5.2 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that IMPUGNED EC IS PROCURED BY PP TO OVERCOME THE OTHER VIOLATIONS AND TO GIVE COUNTERBLAST TO EDC TO BE PAID AFTER, PROCEEDING BEFORE HON'BLE IN COLLUSION WITH SEIAA: BECAUSE, the PP in collusion with SEIAA have played the very ill tactics to counterblast the other violations and to get regularize the illegal construction carried out without prior EC, CTE & CTO. That, this is not the first crime by the SEAC-III, SEIAA officials & Polluter lobby including PP. Such illegal activity has took place earlier in OA No. 184/2015(WZ), when this Hon'ble NGT directed Chief Secretary to take action against SEIAA & PS-DOE with cost of Rs. 10,00,000/- on them as well as quashing of EC & imposition of Rs. 100/- Crores EDC on polluter. Therefore, this Hon'ble NGT shall think thousands time before giving adjournment to the Polluters lobby and also, punish the habitual offenders SEIAA & polluter lobby with sternly hand.

This not only the failure to protect the environment and combat the ill practices adopted by polluter lobby on part of vigilant citizens, but it is the institutional failure as well as public at large failure and any lenient view having no deterrence against polluters & SEIAA Members in this case will make mockery of judicial system. The above President is not applicable to the aforesaid matter as the fact and circumstances are different the Appellant is trying to take the undue advantage of the alleged orders passed in order matter the Appellant should adduce the relevant facts and not to make any Heresay evidence before this Hon'ble Tribunal.

- iii. The Contents of the Para 5.3 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that NO EXCEPTIONAL CIRCUMSTANCES HAVE ESTABLISHED BY SEAC-III, SEIAA & PP FOR GRANTF IMPUGNED ILLEGAL EX-POST FACTO EC AND IT IS THE LAME ATTEMPT JUST TO OVERCOME THE VIOLATION AND GET REGULARISE PROFIT MAKING COMMERCIAL DEVELOPMENT AT THE COST OF MOTHER NATURE: BECAUSE, the prior EC shall be obtained mandatorily only under EIA Notification, 2006 and there is no other provision in the law to grant such illegal ex-post facto EC, moreover, in view to streamline the environmental laws, MoEFCC issued Notification dated 14.03.2017 for consideration of violation case as one time window. However, Respondent-PP intentionally ignored to obtain the prior EC for its expansion, then this failure is not ordinary and PP thinks himself above the law and also failed explain the exceptional

case for grant of such ex-post facto EC. That, there is no mechanism in law and our environmental law does not recognize the concept of grant of ex-post facto EC, but to satisfy the ego & ill intention of showing farce development at the cost of mother nature of the present rulers in central government Hon'ble Supreme Court have changed its ton from Common Cause Case refusing to approve the practice of grant of ex-post facto EC to grant of ex-post facto EC in exceptional circumstances as held in "D. Swamy Case" However, the Respondent-PP, SEAC-III & SEIAA fail to establish the case for grant of ex-post facto EC under exceptional category in present case and this case does not falls under the exceptional category case as per D. Swamy case. Moreover, this exceptional circumstance has to be established in relation to failure to obtain prior EC before commencement of construction in past and not the present scenario of getting the sympathy on account of assumptions of PP giving employments to large number, PP being heavy tax payer, doing large CSR activity, pro- environment business group, etc. are the blatant lie. But got succeeded only due to his access to the corrupt power corridors with corrupt politicians/ bureaucrats etc. That the PP, SEAC-III & SEIAA are working in mechanical manner and there is no respect about the law enforced by the parliament and these white-collar criminals are become very damager for the lawful society as these officials from government authorities & PP can take undue advantage of their mightiness & resourcefulness can procure the favorable orders to overcome their violations without any exceptional case. Therefore, this Hon'ble NGT shall take such strict action and judicial note which will shake the foundation of these white-collar criminals and it is the only way

to protect the society from becoming lawlessness. Therefore, this impugned EC shall be quashed & set aside along with heavy penalty as well compensation & cost and There shall not be any construction at site and on the contrary, there shall be demolition of entire illegal construction. The contents in the said para made by the Appellant is not true and correct and hence deserved to be rejected. The Order of Received EC passed by the respondent no. 2 to 7 are legal and all the order is passed after completing the entire process of law and it is not correct to state that there is no respect about the law enforced by the parliament and these white-collar criminals are become very demerger for the lawful society. The respondent states that the appellant is trying to create a picture that all the persons except him are criminals and trying to disobey the law, however the appellant has not shown any example what has been done by him for the Society. Moreover, trying to try undue advantages by filling such appeals before this Court and grab the opportunity.

- iv. The Contents of the Para 5.4 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that MOEFCC OM 07.07.2021 DATED IS JUST PROCEDURE TO BE FOLLOWED FOR MOEFCC NOTIFICATION, 14.03.2017 AND APPLICATION FOR EC AS WELL AS EX-POST FACTO EC CANNOT BE GRANTED UNDER THIS OM: BECAUSE, the MoEFCC provided onetime opportunity by way of Notification dated 14.03.2017 to obtain ex-post facto EC for those projects/activity who have started the project/ activity without obtaining prior EC under EIA Notification, 2006 only within amnesty period of six months plus

one month as per Hon'ble Madras High Court. That the application seeking ex-post facto EC should only be filed under Notification dated 14.03.2017 within amnesty period and not afterward. That the application of PP for ToR is filed on 05.04.2022, application for EC is filed on 19.10.2022 and it is clear that the violation of PP cannot be dealt under MoEFCC Notification dated 14.03.2017 & MOEFCC OM dated 07.07.2021. That the large number of violation cases were reported under Notification, 14.03.2017 and same were pending for final consideration in absence of specific procedures, therefore, Hon'ble NGT in Appeal No. 34/2020(WZ) issued direction to MoEFCC to issue SoP for consideration of those cases and accordingly, SOP dated 07.07.2021 under MoEFCC office Memorandum was issued. Therefore, this OM is not the notification as well as law and thus application for seeking ex-post facto EC cannot be filed under this OM and OM only deals with the procedures for Identification & handling of violation cases reported under MoEFCC Notification dated 14.03.2017. That this Hon'ble NGT as well as Hon'ble Supreme Court have decided this issue in its verdict [2021] 14 S.C.R. 863: Electro steel Vs. UoI Case, [2022] 15 S.C.R. 547: D. Swamy Vs. KSPCB, [2022] 16 S.C.R. 855: Pahaw Plastics Vs. Dastak NGO, OA No. 66/2019(WZ): Kumar Housing Case, OA No. 35-2022(WZ): Sabir Sayyed Case etc. Further contents that "therefore, law is very clear, unambiguous and cannot be interpreted conveniently by SELAA, SEAC, MIRPCC, polluter lobby and thus no applications for ex-facto EC can be filed under OM dated 07.07.2021 and also cannot be entertained for grant of ex-facto Client the impugned RC dated 09.02.2024 needs to be

quashed and set side is totally wrong, false, imaginary and the same is denied and not admitted by this Respondent.

- v. The Contents of the Para 5.5 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that NO APPLICATION FOR EC UNDER MOEFCC NOTIFICATION, 14.03.2017 WITHIN AMNESTY PERIOD IS FILED BY PPBECAUSE, as per the MoECC Notification, dated 14.03.2017 One time window Amonth from 14.03.2017 to 13.09.2017 for obtaining ex-post facto EC was provided to polluters who have started the construction of project or expanded the project, changed in product mix or modernization the process requiring prior EC under EIA Notification, 2006 without obtaining prior EC. Thereafter, after additional one-month extension starting from 14.03.2018 to 13.04.2018 in addition to above six months was also provided as per the order of Hon'ble Madras High Court for submission of application under this Notification dated 14.03.2017. That the below table shows the failure, intentional negligence and callous attitude of the PP to file the Application for ex-post facto EC despite opportunity.

Sr.	Event	Date
1.	MoEFCC notification for ex-post facto EC	14.03.2017
2.	Amnesty Period of six Months	13.09.2017
3.	One Month extension of Amnesty Period as per Honb'le Madras High Court	14.03.2017 to 13.09.2017
4.	Application for ex-post facto ToR	05.04.2022

5.	Application for ex-post facto EC	19.10.2022
6.	Grant of Impugned ex-post EC	09.02.2024

- vi. Further contents of the said para that “That, the Respondent-PP have filed Application for ToR is filed on 05.04.2022 & Application for ex-post facto EC is filed on 19.10.2022 and these Applications are beyond the amnesty period of 14.03.2017 to 13.09.2017 and further extension of one month from 14.03.2018 to 13.04.2018. It is important to note here that the Applications of PP are not covered of this Amnesty Scheme and MoEFCC-OM dated 07.07.2021 is not applicable in this case.” Are totally wrong, false, imaginary, baseless, and thus the same are denied and not admitted by this Respondent.
- vii. The Contents of the Para 5.6 of the Appeal Memo are not true and correct and hence required to be rejected. It is not true and correct to state that NO APPLICATION FOR EC CAN BE FILED & ENTERTAINED UNDER THIS MOEFCC-OM DATED 07.07.2021 AND APPLICATION FOR TOR DATED 05.04.2022 & APPLICATION FOR EC DATED 19.10.2023 ARE NOT MAINTAINABLE UNDER MOEFCC-OM DATED 07.07.2021 AS IT IS ONLY PROCEDURE & PURSUANT TO NOTIFICATION DATED 14.03.2017 AND ALSO IMPUGNED EC IS IN VIOLATION OF LAW LAID DOWN BY HON'BLE SUPREME COURT AND HON'BLE NGT: BECAUSE, the PP have filed Application for ToR vide dated 05.04.2022 online and thereafter, application for ex-post facto EC vide dated 19.10.2023 under MoEFCC OM dated 07.07.2021 without obtaining ToR for preparation of EIA Report. That, the MoEFCC issued the SoP by

way of OM dated 07.07.2021 to identify & handle the proposal under violations submitted under EIA Notification, dated 14.03.2017 as per the Order dated 24.05.2021 passed by Hon'ble NGT in Appeal No. 34/2020 (WZ) and it is the procedure to handle the proposal received under MoEFCC Notification, 14.03.2017. Thus the entire contents of this Para are not tenable in the eyes of law and the same are denied and not admitted by this Respondent.

Sr.	Activity	Period/Date
1.	EIA Notification, 2006	14.0.2006
2.	MoEFCC notification for ex-post facto EC	14.03.2017
3.	MOEFCC OM	07.07.2021
4.	Hon'ble SC Order in Electrosteel Case	09.12.2021
5.	Hon'ble SC Order in Pahwa Plastic Case	25.03.2022
6.	Application for ToR	05.04.2022
7.	Hon'ble NGT Order in OA No. 60/2019	13.05.2022
8.	Hon'ble SC Order in D. Swamy Case	22.09.2022
9.	Application for ex-post facto EC	19.10.2022
10.	SEAC Minutes of 159th Meeting	29.11.2022
11.	Hon'ble NGT Order in OA No. 35/2022	30.01.2023
12.	SEIAA Minutes of 259th Meeting	19.04.2023
13.	Grant of impugned ex-post facto EC	09.02.2024

The Respondent states that the above details in tabular format are not true and correct all the precedents of the above referred cases are not applicable to the present case as the respondent has followed all the technicalities and paid the penalty as informed by the department and thereafter the received EC was issued to

the respondent PP. Hence it cannot be stated that is clear that the Respondent-PP submitted its proposal online for ToR vide dated 05.04.2022. Thereafter, Hon'ble NGT vide its Order dated 13.05.2022 in OA No. 60/2019 confirmed that the OM dated 07.07.2021 is the procedure to the MoEFCC Notification, dated 14.03.2017 and further Hon'ble Supreme Court vide its order dated 22.09.2022 in "D. Swamy Case" held that the OM dated 07.07.2021 is in pursuance to the MoEFCC Notification dated 14.03.2017. Thereafter, this Hon'ble NGT again confirmed vide its order dated 30.01.2023 passed in OA No. 35/2022 that the OM dated 07.07.2021 is the procedure to the MoEFCC notification, dated 14.03.2017. Despite the above legal position, this Respondent-PP proceeded to file Application dated 19.10.2022 seeking ex-post facto EC under OM dated 07.07.2021 and assessed by SEIAA in its 259th meeting held on 19.04.2023. Therefore, this is the case where illegal ex-post facto EC has been granted by SEIAA just for asking it by SEIAA without establishing exceptional case for such grant, despite the above settled position of law prohibiting the Respondent-PP to apply the EC under OM dated 07.07.2021 and the Application dated 19.10.2022 asking for ex-post facto EC is illegal and not maintainable and impugned EC is issued by SEIAA only for asking without any exceptional circumstance, but defiantly for monetary gain of SEIAA Members other than they get legally from tax payers money and at the cost of mother nature by allowing PP to expand his project as per his wish without restoration of the area already damaged. And this Hon'ble NGT shall quash & set aside this impugned EC being bad in the eyes

of law and shall not be sustained at any cost. Hence all the said contents are denied and not admitted by this Respondent.

- viii. The Contents of the Para 5.7 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that NO TOR GRANTED, NO SEAC APPRAISAL, NO SEIAA ASSESSMENT FOR TERMS OF REFERENCE (TOR) AND IMPUGNED EX-POST FACTO EC IS GRANTED ON 09.02.2024 WITHOUT EIA REPORT SUBMISSION AND SAME IS NOT TENABLE IN THE EYES OF LAW BEING ILLEGAL, NULL, VOID AND SHALL BE QUASHED:BECAUSE, the grant of ex-post facto EC is alien concept to the Environmental jurisprudence adopted by India as held by Hon'ble Supreme Court in "Common CauseCase-2017 & Goel Ganga Cass-2018 as well as U treaties signed by India. PP completed the construction of more than 54000 M³ of TBUA without prior valid RC for expansion which is in violation of EIA Notification, 2006 as well as there is no Terms of Reference (Tok) granted for preparation of EIA as per the mandatory provisions of Notification, dated 14.03.2017 as well as OM dated 07.07.2021. Therefore, the impugned EC dated 09.02.2024 is illegal, null void and this Hon'ble NOT shall quash & set aside this impugned EC without any hesitation, moreover, PP have procured this illegal BC to regularize the illegal construction as well as to make more money at the cost of mother nature by expanding the project to the non-sustainable scale. This is not the intention of legislature and guardian of constitution for defeating the law by white collar criminals. Thus the said entire contents are denied and not admitted by this Respondent.

ix. The Contents of the Para 5.8 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that ILLEGAL CONSTRUCTION AFTER EXPIRY OF FIRST EC DATED 20.01.2012 ON 19.01.2019 AND PROCUREMENT OF EX-POST FACTO EC UNDER CHALLENGE TO GET REGULARISE ILLEGAL CONSTRUCTION: BECAUSE, PP obtained first EC dated 20.01.2012 valid for seven years and even after expiry of First EC PP carried out the construction and then procured the impugned EC after completion of project. Thus the said entire contents are denied and not admitted by this Respondent.

x. The Contents of the Para 5.9 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that MISLEADING, FALSE, BASELESS, APPRAISAL BY SEAC-III & ASSESSMENT BY SEIAA & THERE IS NO FINAL EIA, NO DAMAGE ASSESSMENT IN EIA REPORT, WRONG & CONVENIENT ENVIRONMENTAL ECOLOGICAL DAMAGE ASSESSMENT BY PP, SEAC & SEIAA BECAUSE, the SEAC-III, SEIAA & PP in collusion with each other knowingly apprised & assessed the proposal on the basis of misleading, false, baseless, information submitted by PP by way of form-1, 1A, without grant of ToR, and without EIA Report r/w. Ecological Damage Assessment, No Building Construction material details in EC Application and No Building Construction material in EIA Report as compared to SEAC-III & SEIAA Minutes of Meeting. Therefore, EC Application & Minutes of

SEAC-III & SEIAA shows the compromised statement of Respondent-PP, SEAC-III & SEIAA and that the information submitted by the PP is false, baseless, misleading & suppression of facts, which have led to wrong, false, baseless, unscientific appraisal & assessment of proposal and this Hon'ble shall quash and set aside the impugned EC dated 09.02.2024. Thus the said entire contents are denied and not admitted by this Respondent.

- xi. The Contents of the Para 5.10 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, no EIA Report is filed in this proposal by PP. There is lots of contradiction in the data submitted to the SEIAA, SEAC-III & Form-1, 1A etc. Thus the said entire contents are denied and not admitted by this Respondent.
- xii. The Contents of the Para 5.11 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the Letter dated 30.01.2019 of Scientist-2 Environment, Government of Maharashtra to Chairman of SEAC-1, 2 & 3 vide dated 30.01.2019 for Consideration of proposals involving violation of EIA Notification, 2006 amended till date based on "An Approach for Assessment for Environmental Damage And Estimation of Remediation Costs For Building Construction Projects initiated without obtaining mandatory Environmental clearance (Violation Cases)" is not a legal document approved by the MOEPCC having legal status as law and It cannot be relied upon for computation of environmental damages. Thus the said entire contents are denied and not admitted by this Respondent.

xiii. The Contents of the Para 5.12 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the entire project is illegal in absence of prior CTE & CTO and ex-post facto impugned EC dated 09.02.2024 cannot save the project from demolition. Thus the said entire contents are denied and not admitted by this Respondent.

xiv. The Contents of the Para 5.13 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the Penalty, Environment Damage Compensation, fine, Bank Guarantee are different concept and have different Application. That the PP has put to his discretion for implementation of remedial & mitigation measure, augmentation plant etc. instead of putting his to the heavy compensation and moreover, Bank Guarantee is refundable and EDC imposed by this Hon'ble NOT cannot be refunded to the PP. Thus the said entire contents are denied and not admitted by this Respondent.

xv. The Contents of the Para 5.14 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, there is complete non-application of mind by SZAC-III & SEIAA, & its "abuse of process of law by members of SEIAA & SPAC-III in collusion with PP. Thus the said entire contents are denied and not admitted by this Respondent.

- xvi. The Contents of the Para 5.15 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the conduct of PP is unapologetic Conduct and it has repercussions on public at large due wrong message has been sent by grant of illegal impugned EC. Therefore, this Hon'ble NGT shall pass strict Order to prove that the defaulter of law will not be spared at any cost and environmental compliance is the supreme. Thus the said entire contents are denied and not admitted by this Respondent.
- xvii. The Contents of the Para 5.16 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the Environment Clearance under challenge is not prior EC and it is nothing but ex-post facto Environment clearance and Concept of granting of ex- post facto Environment Clearance is not allowed in environmental jurisprudence in India. Thus the said entire contents are denied and not admitted by this Respondent.
- xviii. The Contents of the Para 5.17 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the PP has submitted false, baseless & misleading information to SEIAA while obtaining Environment Clearance and therefore PP is guilty of "SuppressioVeri Suggestio Falsi". Thus the said entire contents are denied and not admitted by this Respondent. Thus the said entire contents are denied and not admitted by this Respondent.

- xix. The Contents of the Para 5.18 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the PP has submitted false, defective and misleading application for EC before SEIAA. Thus the said entire contents are denied and not admitted by this Respondent.
- xx. The Contents of the Para 5.19 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, if the procedure of the post facto Environment Clearance is allowed to be followed, any project proponent would complete his project by causing irreversible damages to the environment and then seek post-facto environmental clearance making the provisions of EIA notification infructuous. The grant of post facto clearance defeats the very purpose of environmental protection law and the mandate of obtaining environmental clearance as per the provisions of EIA Notifications 2006. Thus the said entire contents are denied and not admitted by this Respondent.
- xxi. The Contents of the Para 5.20 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the environment clearance granted by the State Level Impact Assessment Authority is illegal and has no legal sanctity. Thus the said entire contents are denied and not admitted by this Respondent.
- xxii. The Contents of the Para 5.21 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true

and correct to state that BECAUSE, the EIA Notification, 2006 no were provided the grant of post facto clearance after the completion of the project. Thus the said entire contents are denied and not admitted by this Respondent.

xxiii. The Contents of the Para 5.22 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the SEIAA failed to take any action for the violation of the provision of EIA notification, 2006 and Environment (Protection) Act, 1986. Thus the said entire contents are denied and not admitted by this Respondent.

xxiv. The Contents of the Para 5.23 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that BECAUSE, the SELAA and its Expert Committee is equally liable for allowing the illegal structures of expansion and also they are equally liable for granting environment clearance to the project in gross violation of EIA Notification, 2006 and other procedure established under law. Thus the said entire contents are denied and not admitted by this Respondent.

xxv. The Contents of the Para 5.24 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that CONVENIENT IGNORANCE AND PROFESSIONAL MISCONDUCT, ABUSE OF PROCESS OF LAW OF THE R-4-VIJAY SHANTILAL NAHATA, R-5-PANKAJ MOHAN JOSHI, & R-6-PRAVIN DARADE, AS MEMBERS OF SEIAA: That, the Respondent No. 4 to 6 are

made personal party as Member of SEIAA, despite having complete knowledge that matter and pendency of proceeding before Hon'ble Supreme Court against the OM dated 07.07.2021 is subjudice, proceeded to grant ex- post facto EC in illegal manner in collusion with PP despite the stay has been granted by Hon'ble Supreme Court in WP (Civil) No. 1394/2023 vide order dated 02.01.2024 & clarification vide order dated 02.02.2024 for the operation of MoEFCC-OM dated 07.07.2021. Moreover, SEIAA Maharashtra is not in operation due to expiry of its tenure on 10.01.2024 and same is not in operation & functioning. Even in these Circumstance these Respondents No. 4 to 6 have granted illegal ex-post facto impugned EC in illegal manner without verifying the compliance of law & minute of SEIAA. Therefore these respondents are erring officer whose conduct is highly suspicious and for these reasons, they have been arrayed as respondents in personal capacity and this Hon'ble NGT shall take the judicial note of their misconduct. Thus the said entire contents are denied and not admitted by this Respondent.

xxvi. The Contents of the Para 5.25 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true and correct to state that, the grant of ex-post facto EC dated 09.02.2024 is illegal, null, void, not tenable in the eyes of law and it's gross intentional violation of the EIA Notification, 2006 r/w Environment (P) Act, 1986. Thus the said entire contents are denied and not admitted by this Respondent.

xxvii. The Contents of the Para 5.26 of the Appeal Memo is not true and correct and hence required to be rejected. It is not true

and correct to state that impugned EC shall be quashed with strict legal action against PP to members of SEIAA along with heavy cost. Thus the said entire contents are denied and not admitted by this Respondent.

y) The Respondent states that OTHER GROUNDS & DISCLOSURES as explained by the APPELLANT is not applicable to the present case and the same shall be discarded and rejected. The respondent/PP hereby advance its parawise reply which is as follows:-

i. That, this entire illegal activity shows that inherent lack of coordination between the local authority/ sanctioning authority, MoZFCC, SZAC, SZIAA, PMC and MPCB and this act cannot be neglected to protect environment. The said entire contents are denied and not admitted by this Respondent.

It is not true to state that there were any inherent lack of coordination between the local authority/ sanctioning authority, MoZFCC, SZAC, SZIAA, PMC and MPCB as there is no ambiguity caused in sanctioning of received EC by the authority whereas appellant is trying to mislead the Hon'ble Authority by filling such appeals before the Hon'ble tribunal. Thus the said entire contents are denied and not admitted by this Respondent.

ii. It is incorrect to state that, the Appellant have made out good prima-facie case and situation will be unbridle & uncontrolled, if stay is not granted and the PP cannot stare in the eyes of the law to continue his illegal construction activity and may be for occupancy of premises and PP must be prohibited

from going ahead and also, stayed the operation of impugned EC. Thus the said entire contents are denied and not admitted by this Respondent.

- iii. It is incorrect to state that, the PP shall not be stared in the eyes of law the illegal construction raised in contravention of multiple laws, act, and enactments and with huge loss to exchequer on various accounts. There should not be any lenience to such white-collar defaulters & violators like PP. Therefore, in view to send clear & unambiguous message in the community of PP there shall be strict order against PP with directions to the concern Authorities. Thus the said entire contents are denied and not admitted by this Respondent.
- iv. It is incorrect to state in the above fact & circumstances, the Appellant being aggrieved by the intentional violations of PP and Respondent Government Authorities are approaching this Hon'ble NOT under the provisions of NGT Act, 2010 R/W NGT (P&P) Rules, 2011 and having no other alternative efficacious remedy in the Law. Thus the said entire contents are denied and not admitted by this Respondent.
- v. It is incorrect to state that, the Appellant have not filed Petition/ Application claiming one by court of India or in the Hon'ble Supreme Court of India pertaining to the present case claiming same reliefs. Thus the said entire contents are denied and not admitted by this Respondent.
- vi. It is incorrect to state that, the Appellant have no personal interest in the project and also there is no enmity against the PP or any Other Respondent in this appeal. On the contrary

Appellant is trying to earn unlawful gains by filling such ambiguous appeals. Thus the said entire contents are denied and not admitted by this Respondent.

vii. It is incorrect to state that, the Appellant craves leave to add to, alter, amend, delete, vary, cancel, modify, substitute and/or rescind what has been stated in the foregoing paragraphs with the previous permission of the Court. Thus the said entire contents are denied and not admitted by this Respondent.

viii. It is incorrect to state that, the Appellant shall be advance any leave to file additional documents to support the allegations and contentions raised in this Application. Thus the said entire contents are denied and not admitted by this Respondent.

ix. It is incorrect to state that the Appellant have made out the case for grant of Interim direction by allowing this IA. Thus the said entire contents are denied and not admitted by this Respondent. The Appellant has not shown any prima facie case, hardship or loss to be sustained by the Appellant in the event of rejection of interim reliefs, further no balance of convenience tilts in favour of the Appellant, and thus the IA is necessarily required to be rejected and the Appeal is required to be dismissed with heavy costs.

x. It is incorrect to state that there is any LOCUS to file the present Appeal hence the same shall be quashed and the Environment Clearance date 09.02.2024 is terms as legal and continued in the interest of public at large. importance and significance of environmental jurisprudence, in relation to environmental damage and pollution caused by the PP in the modern state of Maharashtra and such type of illegal activity of

by project proponent in connivance government authority giving rise to unlawful activity in society, which shall be stopped by way of appropriate directions from this Hon'ble NOT. That the Appellant is the Advocate, Social & Environment Activist, Whistle Blower, Vigilant Citizen and also, reporting the environmental causes to the various competent authorities as well as court of law for its protection, betterment, development, of environment & ecology and performing his fundamental duties very diligently & punctually from his own pockets. That the impugned EC is illegal, void, null and not tenable in the eyes of law and this EC cannot stare in the eyes of law. Appellant is the aggrieved person due to grant of this ex-post facto illegal EC as it gives back door entry to regularise the illegal excess construction of project and to counterblast the settled position of law. This appellant is duty bound citizen to protect the environment in the area. That the callous attitude of the SEIAA, SEAC-III, PMC & PP needs to be brought on record by way of this Appeal to stop & prevent such ill tactics and to protect, preserve the natural resources for future generation. Therefore, this Appellant being a common man & vigilant citizen is an aggrieved person and performing fundamental duties promptly & diligently to protect environment & having legal right to enforce the environmental enactments to protect the common sharing of natural resources. Thus, this appellant have locus to file present application, is totally false, imaginary, misleading, wrong and the same is denied and not admitted by this Respondent.

- xi. The Appellant has entirely failed to plead the facts and also failed and neglected to file the documents in support of his

pleadings, and further the Appellant has no any prima facie case, locus standi, and also there is no loss or hardship portrayed by the Appellant, and thus the balance of convenience tilts in favour of this Respondent and therefore the claims and prayers of the Appellant in Appeal as well as IA are deserves to be rejected in limine subject to heavy costs for wasting the precious judicial time of this Hon'ble Court and as well as this Respondent.

The respondent therefore most respectfully prays that:-

- a) The Appeal filed by the Appellant being devoid of merits shall be rejected with heavy cost.
- b) Any other just and equitable orders in the interest of justice in favour of this Respondent may deem fit by the Hon'ble Court may kindly be passed.

Pune

Date: 02/01/2026



For Vascon Engineers Limited

Abhijeet
Authorized Signatory

Respondent No. 9

Advocate for Respondent No. 9

VERIFICATION

I, **Mr. Abhijeet Pimple**, Age: 50, Occupation: Service, being the authorized signatory of Vascon Engineers Ltd. vide board resolution dated 05/11/2020, do hereby state on solemn affirmation, states that whatever stated in the aforesaid paragraphs is true and correct to the best of my knowledge,

information and belief and hence, I have signed on **this 2nd day of January, 2026** at Pune.



For Vascon Engineers Limited

Pabyeel
Authorized Signatory

Respondent No. 9

AFFIDAVIT IN REPLY**Before the National Green Tribunal Western Zone, Pune At Pune****Appeal no. 132/2024 (WZ)****Tanaji B. Gambhire**... **Appellant**

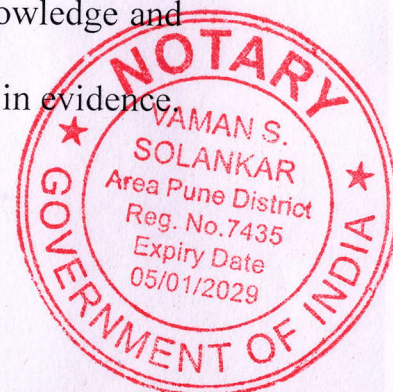
V/s.

Union of India & others... **Respondents****AFFIDAVIT IN REPLY BY AND ON BEHALF OF THE RESPONDENT****NO. 9 I.E. VASCON ENGINEERS LTD IS AS UNDER:**

I, **Mr. Abhijeet Pimple**, Age: 50, Occupation: Service, being the authorized signatory of Vascon Engineers Ltd. vide board resolution dated 05/11/2020, do hereby state on solemn affirmation, as under:

I state that respondent no. 9 is the company incorporation under companies act 1956 and 2013 and authorized me to depose in the aforesaid matter as I am aware with the facts and circumstance of the case filed by the Appellant and in such I am capacity competent to depose by way of this affidavit.

I have read the contents of the reply and annexures attached with the reply, filed by the respondent no. 9 company and the same is drafted as per my instructions and the contents therein are true and correct and the best of my knowledge and information and the same may kindly be exhibited and shall be read in evidence.



Hence this reply Affidavit

For Vascon Engineers Limited

Pune

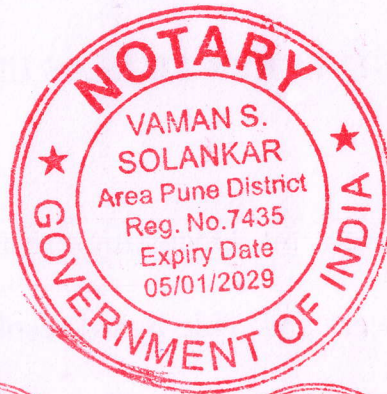
dated 02/01/2026



Q. Akyeer
Authorised Signatory
Affiant

I know the affiant

Q. S. Solankar
Advocate.



BEFORE ME

Q. S. Solankar

**VAMAN S. SOLANKAR
NOTARY
GOVT. OF INDIA
Reg. No. 7435**



02 JAN 2026

Noted & Registered

at. Sr. No 02/2026



Before the National Green Tribunal Western Zone, Pune At Pune

Appeal no. 132/2024 (WZ)

Tanaji B. Gambhire

.....Appellant

V/s.

Union of India & others

.....Respondents

List of Documents submitted by and on behalf of the Respondent no. 9 i.e.

Vascon Engineers Ltd is as Under:

Sr. no.	Particulars	Date
1.	The Copy of the said Environment Clearance (EC) Order no. SEAC-2010/CR.669/TC.2	20/01/2012
2.	The Copy of the said Consent to Establish no. BO /RO (HQ) /Pune/ CE/ CC-42	09/03/2012
3.	The Copy of Order of Consent to Operate (part) vide UAN no. 061302	27/11/2018
4.	The copy of Revalidation of Consent to Establish vide no. Format 1.0/BO/JD(WPC) UAN -069454/CE/CC-1909000373	13/09/2019
5.	The application for consideration of the proposal for revised EC filed by Respondent no. 9	11/04/2019
6.	The application for advancement of revised EC under EIA Notification 2006- Category 8a;	29/10/2021
7.	Office Memorandum of SOP	7-7-2021

	for handling violation cases as per the Order of National Green Tribunal in OA. 34/2020	
8.	Application filed by Respondent No. 9 under violation category.	18/11/2022
9.	The copy of minutes of 256 th Day 1 (part C) meeting of SEIAA	19/04/2023
10	The Copy of Environment Clearance (EC) no. EC24B038MH185370	09.02.2024
11.	Copy of Board resolution in favour of the authorized signatory of respondent no. 9	05/11/2020

Pune

Dated 02/01/2026

Prakashkar

Advocate of Respondent no.9

For Vascon Engineers Limited

P. Prakashkar

Respondent no. 9

Authorized Signatory



Government of Maharashtra

SEAC- 2010/CR.669 /TC.2

Environment department,

Room No. 217, 2nd floor,

Mantralaya Annexe,

Mumbai 400 032

Date: 20th January, 2012

To,
M/s. Vascon Engineers Ltd.
Phoenix, Bund Garden Road, Camp, Pune - 411 001,
Tel. No. : 020 - 30562100

Subject: Proposed Residential Cum Commercial Construction Project: Windermere" at Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune by M/s. Vascon Engineers Ltd. - Environmental clearance regarding.

Sir,

This has reference to your communication on the above mentioned subject. The proposal was considered as per the EIA Notification - 2006, by the State Level Expert Appraisal Committee, Maharashtra in its 47th meeting and decided to recommend the project for prior environmental clearance to SEIAA. Information submitted by you has been considered by State Level Environment Impact Assessment Authority in its 42nd Meeting held on 8th/9th December, 2011.

2. It is noted that the proposal is for grant of Environmental Clearance Proposed Residential Cum Commercial Construction Project: Windermere" at Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune by M/s. Vascon Engineers Ltd SEAC considered the project under screening category 8 (a) as per EIA Notification 2006.

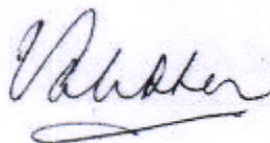
Brief Information of the project is summarized as below-

Name of the Project	: "Windermere" Residential and commercial project.
Project Proponent	: M/s. Vascon Engineers Ltd.
Location of the project	: 331, Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune
Type of Project	: Construction project
Plot Area	: 19,191.63 Sq. m
Proposed Total built up area	: 42,526.36 Sq. m (excluding parking).
Estimated cost of the project	: Rs. 98.69 Cr
No. of Buildings	: 2 Residential Buildings & 1 Commercial Building Residential Tenements: 80 No. Commercial Area: 3,963.92 Sq. m
Water Requirement	• Fresh water: 73 KLD, Source: - Pune Municipal corporation. • Recycled water: 64 KLD.
Wastewater generated	105 KLD

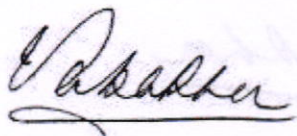
Rain water Harvesting	15 No. of recharging pits with Size : 2.5 m X 2.5 m X 2 m will be provided. Recharge Pits – 15 No.
Solid Waste Generation	<ul style="list-style-type: none"> • Biodegradable waste: 200 Kg/day • Non Biodegradable waste: 166 kg/day • STP Sludge (Dry sludge): 16 kg/day
Disposal	<ul style="list-style-type: none"> • Use of Organic Waste Converter (Foodie) and disposal of compost in own landscape. Dry waste disposal: Through PMC • Dried sludge from STP will be used as manure.
Energy	<ul style="list-style-type: none"> • Power Requirement: 1750 kW, source: MSEDCL • Power back up: 3 D.G. sets of 630 KVA capacity.
Energy Conservation	<ul style="list-style-type: none"> • Use of solar power street lighting • Energy efficient tube lights and CFL lamps shall be used for common area lighting
Traffic Management	Parking area : 19,093 sq.m. Parking spaces:, for 2-Wheeler: 850 No., 4-Wheeler: 418 No. and . Bicycles: 319 Nos.
Green Belt Development	<ul style="list-style-type: none"> • Landscape development: 3,151 Sq.m Landscape are on ground : 2527 sq. m. • Total No. of trees to be planted : 115 Nos. • Total No. of palms to be planted : 29 Nos.
Environment Management Plan	Operation Phase: Total capital cost for EMP shall 1,84,25,000/- and O & M for EMP shall be 7,05,000/- per annum

3. The proposal has been considered by SEIAA in its 42nd meeting & decided to accord environmental clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to implementation of the following terms and conditions :-

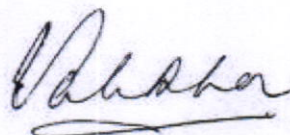
- (i) This environmental clearance is issued subject to the condition that no Occupation Certificate should be issued to the project, unless adequate water supply has been sanctioned. Local Authority should ensure this while approving the plans.
- (ii) This environmental clearance is issued subject to land use verification. Local authority / planning authority should ensure this with request to Rules, Regulations, Notifications, Government Resolutions, Circulars, etc. issued if any. This environmental clearance issued with respect to the environmental consideration and it does not mean that State Level Impact Assessment Authority (SEIAA) approved the proposed land use.
- (iii) The height, Construction built up area of proposed construction shall be in accordance with the existing FSI/FAR norms of the urban local body & it should ensure the same along with survey number before approving layout plan & before according commencement certificate to proposed work. Plan approving authority should also ensure the zoning permissibility for the proposed project as per the approved development plan of the area.
- (iv) "Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
- (v) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.



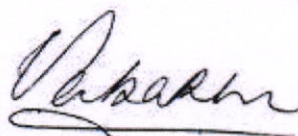
- (iv) "Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
- (v) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
- (vi) Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. No physical occupation or allotment will be given unless all above said environmental infrastructure is installed and made functional including water requirement in Para 2. Prior certification from appropriate authority shall be obtained.
- (vii) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche and First Aid Room etc.
- (viii) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- (ix) The solid waste generated should be properly collected and segregated. dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material
- (x) Wet garbage should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed outside the premises. Local authority should ensure this.
- (xi) Arrangement shall be made that waste water and storm water do not get mixed.
- (xii) All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- (xiii) Additional soil for leveling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
- (xiv) Green Belt Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- (xv) Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- (xvi) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- (xvii) Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourses and the dumpsites for such material must be secured so that they should not leach into the ground water.
- (xviii) Any hazardous waste generated during construction phase should be disposed off as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- (xix) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- (xx) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from concern authority shall be taken.
- (xxi) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.



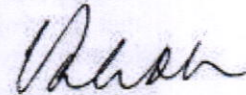
- (xxiii) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September 1999 and amended as on 27th August, 2003. (The above condition is applicable only if the project site is located within the 100Km of Thermal Power Stations).
- (xxiv) Ready mixed concrete must be used in building construction.
- (xxv) The approval of competent authority shall be obtained for structural safety of the buildings due to any possible earthquake, adequacy of fire fighting equipments etc. as per National Building Code including measures from lighting.
- (xxvi) Storm water control and its re-use as per CGWB and BIS standards for various applications.
- (xxvii) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- (xxviii) The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- (xxix) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/refused to the maximum extent possible. Treatment of 100% gray water by decentralized treatment should be done. Discharge of unused treated affluent shall conform to the norms and standards of the Maharashtra Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.
- (xxx) Local body should ensure that no occupation certification is issued prior to operation of STP/MSW site etc. with due permission of MPCB.
- (xxxi) Permission to draw ground water shall be obtained from the competent Authority prior to construction/operation of the project.
- (xxxii) Separation of gray and black water should be done by the use of dual plumbing line for separation of gray and black water.
- (xxxiii) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- (xxxiv) Use of glass may be reduced up to 40% to reduce the electricity consumption and load on air conditioning. If necessary, use high quality double glass with special reflective coating in windows.
- (xxxv) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement
- (xxxvi) Energy conservation measures like installation of CFLs /TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible like installing solar street lights, common solar water heaters system. Project proponent should install, after checking feasibility, solar plus hybrid non conventional energy source as source of energy.
- (xxxvii) Diesel power generating sets proposed as source of back up power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- (xxxviii) Noise should be controlled to ensure that it does not exceed the prescribed standards. During nighttime the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.



- proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- (xxxviii) Noise should be controlled to ensure that it does not exceed the prescribed standards. During nighttime the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
- (xxxix) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- (xl) Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code, which is proposed to be mandatory for all air-conditioned spaces while it is aspirational for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement
- (xli) The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation
- (xlii) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
- (xliii) Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
- (xliv) Six monthly monitoring reports should be submitted to the Department and MPCB.
- (xlv) A complete set of all the documents submitted to Department should be forwarded to the MPCB
- (xlvi) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Department.
- (xlvii) A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
- (xlviii) Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes and year-wise expenditure should reported to the MPCB & this department.
- (xlix) The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at Website at <http://ec.maharashtra.gov.in>.
- (i) Project management should submit half yearly compliance reports in respect of the stipulated prior environment clearance terms and conditions in hard & soft copies to the MPCB & this department, on 1st June & 1st December of each calendar year.
- (ii) A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- (iii) The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sector parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.



- (liv) The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
4. The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
 5. In case of submission of false document and non compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.
 6. The Environment department reserves the right to add any stringent condition or to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.
 7. **Validity of Environment Clearance:** The environmental clearance accorded shall be valid for a period of 5 years.
 8. In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.
 9. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.
 10. Any appeal against this environmental clearance shall lie with the National Green Tribunal , Van Vigyan Bhawan, Sec- 5, R.K. Puram, New Dehli – 110 022, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.



(Valsa R. Nair Singh)
Secretary, Environment
department & MS, SEIAA

Copy to:

1. Shri. P.M.A Hakeem, IAS (Retd.), Chairman, SEIAA, 'Jugnu' Kottaram Road, Calicut- 673 006 Kerala.
2. Shri. Dr. S. Devotta, Chairman, SEAC, T2/302 Sky City, Vanagaram –Ambattur Road, Chennai – 600 095
3. Additional Secretary, MOEF, 'Paryavaran Bhawan' CGO Complex, Lodhi Road, New Delhi – 110510

3. Additional Secretary, MOEF, 'Paryavaran Bhawan' CGO Complex, Lodhi Road, New Delhi - 110510
4. Member Secretary, Maharashtra Pollution Control Board, with request to display a copy of the clearance.
5. The CCF, Regional Office, Ministry of Environment and Forest (Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No- 3, E-5, Ravi-Shankar Nagar, Bhopal- 462 016). (MP).
6. Regional Office, MPCB, Pune.
7. Commissioner, Pune Municipal Corporation, Pune.
8. Collector, Pune.
9. IA- Division, Monitoring Cell, MoEF, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi-110003.
10. Director (TC-1), Dy. Secretary (TC-2), Scientist-1, Environment Department.
11. Select file (TC-3).

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 24020781 / 24010437

Fax : 24024068 / 24044532

Email : mpcb@vsnl.net

Visit At : <http://mpcb.gov.in>



Kalpataru Point, 2nd, 3rd & 4th Floor,
Opp. Cineplanet, Near Sion Circle,
Sion (E), Mumbai-400022.

EIC No: PN-11466-11

Infrastructure Project/LSI

Consent No. BO/RO(HQ)/Pune/CE/CC-42

Date: 09/02/2012

Consent to Establish under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008

.....
CONSENT is hereby granted to,

M/s. Vascon Engineers Ltd, "Windermere",
At F.P.No.331, Sangamwadi, T.P. Scheme, North main road,
Koregaon Park, Pune, Maharashtra.

Located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of HW (M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

- The Consent to Establish is granted for a period up to: Commissioning of the Project or 5 years whichever is earlier.**

For development of land / plot as new construction activities for residential cum commercial Project named as **M/s. Vascon Engineers Ltd, "Windermere"**, At F.P.No.331, Sangamwadi, T.P. Scheme, North main road, Koregaon Park, Pune, Maharashtra on total plot area of 19,191.63 sq.mtr, Proposed BUA [As per FSI] of 26,875.99 Sq.mtr & Total Construction BUA of 42,700.21 sq.mtr including utilities of residential cum commercial Project as per construction commencement certificate issued by local body.

This project requires Environment Clearance under EIA Notification dt: 14/09/2006 of MoEF, GOI as amended on dt: 1/12/2009. Therefore the effective date of this consent to Establish shall be from the date of obtaining Environment Clearance from Competent authority by the project proponent.

2. CONDITIONS UNDER WATER ACT:

- The daily quantity of sewage effluent from construction project shall not exceed **106.00 M³**.
- Sewage Effluent Treatment:** The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards.



1	pH	Not to exceed	6.5 to 9.0
2	Suspended Solids	Not to exceed	100 mg/l.
3	BOD 3 Days 27 degree C	Not to exceed	100 mg/l.
4	Fecal Coliform	Not to exceed	500/100/1 mg/l.
5	Residual Chlorine	Not to exceed	01 mg/l.
6	Detergent	Not to exceed	01 mg/l.
7	Floating matters	Not to exceed	10 mg/l
8	COD	Not to exceed	50 mg/l

- (iii) **Sewage Effluent Disposal:** The treated domestic effluent shall be 80% recycled and reused for flushing, fire fighting and cooling of Air conditioners and remaining shall be discharged to Municipal sewer. In no case, effluent shall find its way to any water body directly/indirectly at any time.

[The project proponent authorities should opt environmental friendly technologies like ozonation, UV treatment etc by replacing chlorination]

- (iv) **Non-Hazardous Solid Wastes:**

Sr.No	Type of Segregated solid waste	Quantity /Day)	Treatment	Disposal
1.	Wet Garbage	200	Composting	Use as Manure
2.	STP Sludge	166		
2.	Dry Garbage	50	..	Landfill site

3. **Other Conditions (during Construction Phase):**

- All activities shall be in resonance with the provisions of Indian Forest Act, 1927 (16 of 1927), Forest (Conservation) Act, 1980 (69 of 1980) and Wildlife (Protection) Act, 1972 (53 of 1972), and special notification published for area wherever applicable and all the Environmental Statutes and Instruments.
- This Consent to Establish is issued only for New Construction/Developing Construction Project purposes.
- No quarrying activities shall be commenced in the area unless appropriate permissions are obtained for a limited quarrying material required for construction of local residential housing and traditional road maintenance work, provided that such quarrying is not done on Forest Lands and the material is not exported to the outside area.
- There shall be no felling of trees whether on Forest, Government, Revenue or Private lands except as per prevailing Rules.
- Extraction of Groundwater for the project shall require prior permission of the State Ground Water Authority or other relevant authorities, as applicable.
- Near the activities that are related to water (like activity of water parks, water sports) and/or in the vicinity of lake, Dissolved Oxygen shall not be less than 5 mg/liter.
- In order to ensure that the water from this project do not enter into outside environment, the nallas crossing the township/complex premises, shall be lined, covered and made water tight by the applicant within the premises with intermittent inspection of chambers following good engineering practices as per the regulations of local body.
- The Applicant shall prepare management plan for water harvesting, roof-water reclamation, water/storm water conservation and implement the same before handing over of complex for occupation.
- Applicant shall provide fixtures for showers, toilet, flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.



10. The Applicant shall draw plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material shall be recycled through scientific in-house composting (i.e vermi-composting facility within premises) with the approval of local body. The proper demarked area shall be identified for collection & storage of MSW properly which, shall be finally disposed off at approved Municipal Solid Waste landfill site of local body environmentally acceptable location and method. It is clarified that the term solid waste includes domestic, commercial, and garden wastes, but does not include hazardous and bio-medical wastes. The activities of bio-composting and engineered landfill shall be as per the Municipal Solid Waste (M&H) Rules, 2000
11. Applicant shall be responsible to take adequate precautionary measures as detailed in this consent.
12. The applicant/generator shall be responsible for safe and scientific collection, transportation, treatment and disposal of Bio-Medical Waste as per the provisions made under the Bio-Medical Waste (Management & Handling) Rules, 1998. Any activity as defined under BMW (M & H) Rules has to obtain a separate Authorization from Maharashtra Pollution Control Board.
13. For disinfections of waste water ultra violet radiation shall be used in place of chlorination.
14. Vehicles hired for construction activities should be operated only during non peak hours.
15. Ready mixed concrete used in building construction should apply separately for consent from the Board.
16. applicant, during the construction stage shall provide
 - a. Septic tank and soak pit of adequate capacity for the domestic effluent generated due to workers residing at site.
 - b. Proper loading and unloading of construction material, excavated material and its proper disposal as per MSW (M&H) Rules 2000.
 - c. Cutting of trees is not permitted, however in unavoidable conditions necessary permission from the local body shall be obtained.
 - d. Green belt of 33% of the open space shall be developed.
17. E-Waste shall be disposed to authorized re processor.

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under

The daily water consumption for the following categories is as under:

(i) Domestic	...	120.00 CMD
(ii) Water gets Polluted & Pollutants are Biodegradable CMD
(iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic CMD
(iv) Industrial Cooling, spraying CMD

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

5. CONDITIONS UNDER AIR (Prevention & Control of Pollution) ACT, 1981:

- (i) The Applicant may install 2-no of diesel generating sets (DG Sets) of capacity 500 KVA and shall be equipped with comprehensive control system as is warranted with reference to generations of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

a. Standards for Emissions of Air Pollutants:

(i) SPM/TPM	Not to exceed	150 mg/Nm ³
(ii) SO ₂ (DG Set)	Not to exceed	40 Kg/day.



(ii) The following measures shall be taken:

- a. Adequate mitigation measures shall be taken to control emissions of SO₂, NO_x, SPM, and RSPM.
- b. Applicant shall achieve following Ambient Air Quality standards.
 1. SPM Not to Exceed (Annual Average) 140 µg/ m³
Not to Exceed (24 hours) 200 µg/ m³
 2. SO₂ Not to Exceed (Annual Average) 60 µg/ m³
Not to Exceed (24 hours) 80 µg/ m³
 3. NO_x Not to Exceed (Annual Average) 60 µg/ m³
Not to Exceed (24 hours) 80 µg/ m³
 4. RSPM Not to Exceed (Annual Average) 60 µg/ m³
Not to Exceed (24 hours) 100 µg/ m³

(iii) The applicant shall observe the following fuel pattern:-

Sr. No.	Type Of Fuel	Quantity
1.	Diesel	200 Ltrs/Hr

(iv) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height above the roof of building in which it is installed
1	D.G.Set (500 KVA x 2-nos)	5.0 Mtrs each

(v) Conditions for D.G. Set:

1. Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
2. Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
3. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
4. Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
5. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
6. A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
7. D.G. Set shall be operated only in case of power failure.
8. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.

(vi) Other Conditions:

- a) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.



- b) Water spraying shall be done on ground to avoid fugitive emissions.
 c) Construction material shall be carried in enclosed vehicles during construction activities.

(vii) Conditions for Utilities like Kitchen, Eating Places etc:

1. The kitchen shall be provided with exhaust system chimney with oil catcher connected to chimney through ducting.
2. The toilet shall be provided with exhaust system connected to chimney through ducting.
3. The air conditioner shall be vibration proof and the noise shall not exceed 68 dB (A).
4. The exhaust hot air from A.C. shall be attached to Chimney at least 5 mtrs. higher than the nearest tallest building through ducting and shall discharge into open air in such way that no nuisance is caused to neighbors.

(viii) The Applicant shall take adequate measures for control of noise levels from its own sources within the complex (residential cum Commercial) in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Daytime is reckoned as between 6 a.m. to 10 p.m. and Nighttime is reckoned between 10 p.m. to 6 a.m.

(ix) Construction equipments generating noise of less than 65/90 db(A) are permitted.

(x) No construction work is permitted during nighttime.

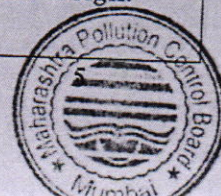
6. CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDRY MOVEMENT) RULES, 2008:

(i) The Industry shall handle hazardous wastes as specified below.

Sr. No.	Type Of Waste	Quantity	UOM	Disposal
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The applicant shall not generate any type of Hazardous Waste.

7. The applicant shall certify that the bricks used in construction are manufactured using the ash from Thermal Power stations if it is within a radius of 100 km. from Thermal Power Plant and submit the names of bricks manufacturer. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.08.2003.
8. The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.
9. The applicant shall adopt environment friendly technology in development of the project.
10. The applicant shall take the proper remediation measures to ensure that the ground water and soil contamination is prevented and follow due diligence at the construction stage.
11. The applicant shall use fly ash based material/products as per the provisions of fly ash Notification of 14.09.1999 and as amended on 27.08.2003.
12. Energy conservation measures like installation of solar panels for lighting the area outside the building should be integrated part of the project design.



13. This Board reserves the right to amend or add any conditions in this consent and the same shall be binding on the Applicant.
14. The applicant shall provide Environmental friendly road transportation by adopting mechanical type closed trucks for transportation of minerals & metals / construction debris with effect from 1/04/2012.
15. The applicant should not take any effective steps for implementation of the project before obtaining Environment clearance as per EIA Notification, 2006.
16. The applicant shall submit Bank Guarantee of Rs. 5.0 Lakhs towards the compliance of consent conditions at Regional Office, MPCB, Pune within 15-days.
17. The Capital investment of the project is Rs. 98.69 Cr.



(Handwritten Signature)
 (Milind Mhaiskar)
 Member Secretary

To,
 M/s. Vascon Engineers Ltd, "Windermere",
 At F.P.No.331, Sangamwadi, T.P. Scheme, North main road,
 Koregaon Park, Pune, Maharashtra.

Copy to-

1. Regional Officer, MPCB, Pune - He is directed to obtain necessary Bank Guarantee from the applicant and ensure compliance of consent conditions
2. Sub Regional officer, Pune-I, MPCB,
3. Chief Accounts Officer, Mumbai, MPCB,

Received consent fee of:-

Sr. No.	Amount	DD. No.	Date	Drawn On
1.	Rs. 75,000/-	017094	21/06/2011	Kotak Mahindra Bank
2.	Rs. 50,000/-	141679	05/01/2012	Kotak Mahindra Bank

4. Cess Branch, MPCB, Mumbai.
5. Master file.

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 24010437/24020781
/24037124/24035273
Fax : 24044532/24024068
/24023516
Email : jdwater @mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor,
Sion- Matunga Scheme Road No. 8,
Opp. Cine Planet Cinema, Near Sion Circle,
Sion (E), Mumbai - 400022

Infrastructure /Orange/LSI

Consent order No: Format1.0/BO/JD (WPC)/UAN-061302/CC-1910000059

Date 01/10/2019

To,
M/s. Vascon Engineers Ltd, "Windermere"
F. No. 331, Sangamwadi, T.P.Scheme,
North Main Road, Koregaon Park, Tal: Pune, Dist: Pune,

Sub: Consent to Operate (part) for Construction of Residential Cum Commercial Projects is granted under Orange category.

- Ref: 1. Consent to Establish vide no. BO/ROHQ/Pune/CE/CC-42 dt.09/03/2012.
2. Environmental Clearance obtained Vide no. SEAC-2010/CR-669/TC-2 dt.20/01/2012.
3. Your Application vide UAN No. 061302 dt.27/11/2018.
4. Minutes of 4th Consent Committee Meeting (Part-I) held on 13/08/2019.

For: Consent to Operate (part-I) for Construction of Residential Cum Commercial project under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous and Other Wastes (M & TM) Rules, 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

- Consent to Operate (Part) is granted for period up to 31/03/2020.
- The proposed capital investment of the project is **Rs.172.71 Cr.**
(As per C.A certificate submitted by project proponent)

The Consent to Operate (Part) is valid for Construction of Residential Cum Commercial Projects named as **M/s. Vascon Engineers Ltd, "Windermere" F. No. 331, Sangamwadi, T. P. Scheme, North Main Road, Koregaon Park, Tal: Pune, Dist: Pune,** for total plot area **19,191.63 Sqm** & completed total BUA area **31,335.06 Sqm** out of total construction **BUA 42,526.36 Sqm** including utilities and services. As per commencement certificate issued by local body.

3. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr. No.	Description	Permitted quantity of discharge (CMD)	Standards to be achieved	Disposal
1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	32.0	As per Schedule -I	60% should be reused & recycled and remaining should be discharged in municipal sewer

4. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr. No.	Description of stack/ source	Capacity	Number Of Stack	Standards to be achieved
1.	DG Set	750 KVA	2	As Per Schedule -II

5. Conditions under Solid Waste Management Rules, 2016:

Sr. no.	Type Of Waste	Quantity & UOM	Treatment	Disposal
1	Wet garbage	108.0 Kg/Day	Organics waste Converter with composting facility / Biogas digester with composting facility	Used as Manure
2	Dry garbage	67.0 Kg/Day	--	Segregate and Hand over to Local Body for recycling
3.	STP sludge	25.0 Kg/day	STP	Used as manure

6. Conditions under Hazardous and Other Wastes (M & TM) Rules, 2016 for treatment and disposal of hazardous waste; NIL.
7. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same should be binding on the industry.
8. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
9. Project Proponent shall comply the Construction and Demolition Waste Management Rules, 2016 which is notified by Ministry of Environment, Forest and Climate Change dtd.29/03/2016.
10. Project Proponent shall submit an affidavit in Board's prescribed format within 15 days regarding the compliance of conditions of EC/CRZ clearance and C to E.
11. Project Proponent shall install online monitoring systems for BOD, TSS and flow at the outlet of STP.
12. Project Proponent shall Operate and maintain Organic waste digester with composting facility or Biogas digester with composting facility.
13. The applicant should comply with the conditions stipulated in Environmental Clearance Obtained from SEAC, Environment Department, Government of Maharashtra, dtd.20/01/2012 for total plot area **19,191.63 Sqm** & total construction BUA area **42,526.36 Sqm**.

For and on behalf of the
Maharashtra Pollution Control Board

(E. Ravendran, IAS)
Member Secretary

Received Consent fee of –

Sr. No.	Amount (Rs.)	Transaction . No.	Date	Drawn On
1	3,45,420/-	PUBI7120027644	19/01/2019	Online

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune-II they are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Mumbai.
3. CC/CAC desk- for record & website updating purposes.

Schedule-I**Terms & conditions for compliance of Water Pollution Control:**

- 1) A] As per your application, you have installed of Sewage Treatment Plants (STP) with the design capacity of **60.0 CMD**
- B] The Applicant shall operate the effluent treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

Sr No.	Parameters	Standards prescribed by Board
		Limiting Concentration in mg/l, except for PH
01	BOD (3 days 27°C)	10
02	Suspended Solids	20
03	COD	50
04	Residual Chlorine	1 ppm

- C) The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, firefighting, on land for gardening etc and remaining shall be discharged in to the municipal sewerage system.
- D] Project proponent shall operate STP for five years from the date of obtaining occupation certificate.
- The Board reserves its rights to review plans, Specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant should obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto
- 2) The industry should ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 3) The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act.

Sr. no.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Domestic purpose	34.00

- 4) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

Schedule-IITerms & conditions for compliance of Air Pollution Control:

1. As per your application, you have proposed to install the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

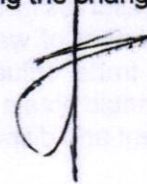
Sr. No.	Stack Attached To	APC System	Height in Mtrs.	Type Of Fuel	Quantity	UOM	S%	SO ₂
1.	DG Set (750.0 KVA)	Acoustic enclosure	5.48	Diesel	392.0	Lit/Hr	--	--
2.	DG Set (750.0 KVA)	Acoustic enclosure	5.48	Diesel	392.0	Lit/Hr	--	--

* Above roof of the building in which it is installed.

2. The applicant should operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Particulate matter	Not to exceed	150 mg/Nm ³ .
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3. The Applicant should obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement alteration well before its life come to an end or erection of new pollution control equipment. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).



Schedule-III
Details of Bank Guarantees

Sr. No.	Consent (C to E/O/R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Operate	Rs. 10 lakh	15 Days	Towards Compliance of EC and consent conditions.	Continuous	

Maharashtra Pollution Control Board

Schedule-IVGeneral Conditions:

The following general conditions shall apply as per the type of the industry.

- 1) The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2) The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and environmental protection Act 1986 and Solid Waste Management Rules, 2016 and E-Waste (Management) Rules, 2016.
- 3) Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5) Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
 - d) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - e) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - f) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - g) D.G. Set shall be operated only in case of power failure.
 - h) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - i) The applicant shall comply with the notification of MoEF dated 17.05.2002 regarding noise limit for generator sets run with diesel.
- 6) Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rules, 2016 & E-Waste (M) Rules, 2016.
- 7) Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8) The treated sewage shall be disinfected using suitable disinfection method.
- 9) The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 10) **The applicant make an application for renewal of consent at least 60 days before the date of the expiry of the consent.**

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 24010437/24020781
/24037124/24035273
Fax : 24044532/24024068
/24023516
Email : jdwater @mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor,
Sion- Matunga Scheme Road No. 8,
Opp. Cine Planet Cinema, Near Sion Circle,
Sion (E), Mumbai - 400022

Infrastructure /Orange/LSI

Consent order No: Format1.0/BO/JD (WPC)/UAN-069454/CE/CC- 1909000373
Date 13/09/2019

To,
M/s. Vascon Engineers Ltd "Windermere",
S. No. F.P. No. 331, Sangamwadi,
Vill: Mundhwa, Tal: Pune, Dist: Pune.

Sub: Revalidation of Consent to Establish for Construction of Residential Cum Commercial Projects granted under Orange Category.

Ref: 1. Your Application vide UAN No. -0000069454 Dated: 19/03/2019.
2. Minutes of 3rd Consent Committee meeting (Part-III) held on 09/08/2019.

For: Revalidation of Consent to Establish for Construction of Residential Cum Commercial project under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous and Other Wastes (M & TM) Rules, 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. The consent is granted for a period up to commissioning of the project or of 5 years whichever is earlier.
2. The proposed capital investment of the project is Rs. 192.99 Cr.
(As per C.A certificate submitted by project proponent)

The Revalidation of Consent to Establish is valid for construction of Residential Cum Commercial Project named as M/s. Vascon Engineers Ltd "Windermere", S. No. F.P. No. 331, Sangamwadi, Vill: Mundhwa, Tal: Pune, Dist: Pune, for total plot area of 19,191.63 Sqm and total construction built up area 42,526.36 Sqm including utilities and services as per Construction Commencement Certificate issued by local body.

3. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr. No.	Description	Permitted quantity of discharge (CMD)	Standards to be achieved	Disposal
1.	Trade effluent	NIL	NA	NA
2.	Domestic effluent	50.0	As per Schedule -I	60% should be reused & recycled and remaining should be discharged in municipal sewer

4. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr. No.	Description of stack/ source	Capacity	Number Of Stack	Standards to be achieved
1	DG Set	750 KVA	2	As Per Schedule -II

5. Conditions under Solid Waste Management Rules, 2016:

Sr. no.	Type Of Waste	Quantity & UOM	Treatment	Disposal
1	Wet garbage	200.0 Kg/Day	Organics waste Converter with composting facility / Biogas digester with composting facility	Used as Manure
2	Dry garbage	166.0 Kg/Day	--	Segregate and Hand over to Local Body for recycling
3.	STP sludge	16.0 Kg/day	STP	Used as manure

6. Project proponent shall not take any effective steps for remaining construction work prior to obtaining revalidated Environmental Clearance & shall submit BG of Rs 10 Lakh towards compliance of same, till such time Project proponent should comply with the conditions stipulated in Environmental Clearance Obtained from SEIAA, Environment Department, Government of Maharashtra, dt. 20/01/2012 for total plot area **19,191.63 Sqm** and total construction BUA **42,526.36 Sqm**.
7. Conditions under Hazardous and Other Wastes (M & TM) Rules, 2016 for treatment and disposal of hazardous waste; NIL.
8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same should be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. Project Proponent shall comply the Construction and Demolition Waste Management Rules, 2016 which is notified by Ministry of Environment, Forest and Climate Change dtd.29/03/2016.
11. Project Proponent shall submit an affidavit in Board's prescribed format within 15 days regarding the compliance of conditions of EC/CRZ clearance and C to E.
12. Project Proponent shall install online monitoring systems for BOD, TSS and flow at the outlet of STP.
13. Project Proponent shall provide Organic waste digester with composting facility or Biogas digester with composting facility.

For and on behalf of the
Maharashtra Pollution Control Board

(E. Ravendiran, IAS)
Member Secretary

Received Consent fee of –

Sr. No.	Amount (Rs.)	Transaction No.	Date	Drawn On
1	3,85,980/-	QCH27379303858	30/03/2019	Online

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune-II -- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Mumbai.
3. CC/CAC desk- for record & website updating purposes.

Schedule-I**Terms & conditions for compliance of Water Pollution Control:**

- 1) A] As per your application, you have proposed to install of Sewage Treatment Plants (STP) with the design capacity of **60.0 CMD**
- B] The Applicant shall operate the effluent treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

Sr No.	Parameters	Standards prescribed by Board
		Limiting Concentration in mg/l, except for PH
01	BOD (3 days 27°C)	10
02	Suspended Solids	20
03	COD	50
04	Residual chlorine	1 PPM

- C) The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, firefighting, on land for gardening etc and remaining shall be discharged in to the municipal sewerage system.
- D] Project proponent shall operate STP for five years from the date of obtaining occupation certificate.
- The Board reserves its rights to review plans, Specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant should obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto
- 2) The industry should ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 3) The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act.

Sr. no.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Domestic purpose	54.0

- 4) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

Schedule-IITerms & conditions for compliance of Air Pollution Control:

1. As per your application, you have proposed to install the Air pollution control (APC) system and also proposed to erect following stack (s) and to observe the following fuel pattern-

Sr. No.	Stack Attached To	APC System	Height in Mtrs.	Type Of Fuel	Quantity	UOM	S%	SO ₂
1.	DG Set (750 KVA)	Acoustic enclosure	5.48	Disel	392.0	Lit/Hr	--	--
2.	DG Set (750 KVA)	Acoustic enclosure	5.48	Disel	35.0	Lit/Hr	--	--

* Above roof of the building in which it is installed.

2. The applicant should operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Particulate matter	Not to exceed	150 mg/Nm ³ .
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3. The Applicant should obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement alteration well before its life come to an end or erection of new pollution control equipment. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

**Schedule-III
Details of Bank Guarantees**

Sr. No.	Consent (C to E/O/R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Consent to Establish	Rs. 10 lakh	15 Days	Towards Compliance of EC and consent conditions.	Up to Commissioning of the project	COU

Maharashtra Pollution Control Board

Schedule-IVGeneral Conditions:

The following general conditions shall apply as per the type of the industry.

- 1) The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2) The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and environmental protection Act 1986 and Solid Waste Management Rules, 2016 and E-Waste (Management) Rules, 2016.
- 3) Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.
- 4) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5) Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
 - d) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - e) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - f) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - g) D.G. Set shall be operated only in case of power failure.
 - h) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - i) The applicant shall comply with the notification of MOEF dated 17.05.2002 regarding noise limit for generator sets run with diesel.
- 6) Solid Waste – The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rules, 2016 & E-Waste (M) Rules, 2016.
- 7) Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8) The treated sewage shall be disinfected using suitable disinfection method
- 9) The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992
- 10) The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before commissioning of the project.



VASCON

Date: 11/04/2019

To,
The Member Secretary,
State Level Impact Assessment Authority (SEIAA)
Environment Department,
218, Annex Building,
2nd Floor, Madam Kama Road,
Mantralaya, Mumbai - 400 032

SUBJECT: Request to consider proposal in upcoming SEIAA meeting for proposed amendment of Environmental Clearance of "Windermere" Project 331, Sangamwadi, T.P. Scheme, North Main road, Koregaon Park, Pune , State – Maharashtra by M/s. Vascon Engineers Ltd.

Ref No.: Environment Clearance Letter Number SEAC-2010/CR.669/TC.2 dated 20/01/2012.

Respected Sir,

This is regarding our proposal of Environmental Clearance for proposed amendment of "Windermere" located at 331, Sangamwadi, T.P. Scheme, North Main road, Koregaon Park, Pune, State – Maharashtra by M/s. Vascon Engineers Ltd. The proposed project falls under Category 8(a) of EIA Notification, 2006.

Initially, we have received EC vide letter no. SEAC-2010/CR.669/TC.2 dated 20/01/2012 for built-up area of 42526.36 m² (excluding parking). Currently, we are applying for amendment of the approved proposal which involves reduction in built-up area by 12% of existing development involving conversion of commercial building to 4 residential bungalows. The comparative statement is given as follows:

Details	Permission as per EC received on 20/01/2012	Proposed Amendment	Total Development/ Requirement	Remark
Area Details				
Plot Area (sq. m)	19191.63	-	19191.63	
FSI Area (sq. m)	26702.14	-313.98	26388.16	
Non FSI Area(sq. m)	15824.22 + 19093 (for parking)	11926.91	27751.13	Reduction in non-FSI area due to conversion of proposed commercial building into 4 residential bungalows.
Build-up Area(sq. m)	42526.36 + 19093 (for parking) Total = 61619.36 (Including parking)	11612.93	54139.29 (including parking)	12% reduction in Total Built-up area (inclusive of parking)

VASCON ENGINEERS LTD.

Corporate Office: Vascon Weikfield Chambers, Vascon Weikfield IT City Infopark, Pune-Nagar Road, Viman Nagar, Pune - 14.

Tel.: +91 20 3056 2100/200/300, Fax: +91 20 3056 2600, Web: www.vascon.com

Registered Office: 15/16 Hazari Baugh, L B S Marg, Vikhroli (W) Mumbai - 83. CIN: L70100MH1986PLC038511



VASCON

Water Requirement				
Total Water Requirement (CMD)	137	-56.5	80.5	Reduction in water requirement is due to conversion of proposed commercial building with 4 bungalows.
Fresh Water (CMD)	73	-35.5	36	
Flushing-Treated (CMD)	46	-28	18	
Landscape (CMD)	18	7	25	
Sewage Generated (CMD)	100	-50	50	
Swimming Pool makeup	-	1.5	1.5	
Excess	-	-	7	
Solid Waste Generation				
Dry waste	166	-95	71	Reduction in solid waste generation is due to conversion of proposed commercial building with 4 bungalows.
Wet Waste	200	-84	116	
Landscape Details				
Number of trees	144	-	144	84 trees have already been planted.
Power Requirement				
Maximum Demand	1750	-616	1134	Reduction in power requirement is due to conversion of proposed commercial building with 4 bungalows.
Connected Load (KW)	-	2379	2379	
DG Set (kVA)	630 KVA X 3 no.	750 KVA X 2 no.	1500 KVA(750 KVA X 2 no.)	
Parking Details				
Parking Area (sq. m)	19093	-5661.89	13431.11	Reduction in parking area is due to conversion of proposed commercial building with 4 bungalows.
2-wheeler	418	-165	253	
4-wheeler	850	-681	169	

Based on above consideration we request you to consider our proposal directly for SEIAA meeting at the earliest for grant of Environment Clearance.

Thanking You,

Yours faithfully

Authorized Signatory,

Enclosures:

1. Application Form I and IA along with necessary annexures.

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VASCON

Date: 29th October 2021

Ref : Vascon Engineers Ltd/Koregaon Park / SEIAA/EC-2/ 001

Member Secretary

State level Environmental Impact Assessment Authority (SEIAA), Maharashtra

Room No. 217, Annex Building,

Mantralay,

Mumbai- 400 032

Sub: Application for Environmental Clearance under EIA Notification 2006- Category 8a

Dear Madam,

We are planning for expansion of Residential Construction Project, at FP No.331 Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune 411001.

Previously, we have received the Environmental Clearance (EC) for this project vide no. SEAC-2010/CR.669/TC.2 dated 20/01/2012. This EC was granted for 2 Residential Buildings and 1 Commercial Building. We have changed the design as per the market need and instead of commercial building, we have proposed 4 bungalows. The total construction of two Residential Buildings and one bungalow is complete which is within the previous EC built up area. The plinth as given in previous EC is not exceeded while effecting change from Commercial Building to Bungalow. Rather the foot print is reduced, Population is reduced to a large extent and BUA of the bungalow is also less than the Commercial Building as permitted by said previous EC thus reducing the overall adverse environmental impact.

However, since the proposal is now changed and existing EC is expired, we need to take a fresh EC from your esteemed authority.

Enclosed please find our application form (in the format prescribed by the said notification) along with requisite annexure. We hope you will find this in order and request you to kindly process our application at your earliest.

Thanking you,

Sincerely,

For, Vascon Engineers Ltd.

Authorized signatory

VASCON ENGINEERS LTD.

Registered & Corporate Office: Vascon Weikfield Chambers, Behind Hotel Novotel, Opposite Hyatt Hotel, Pune Nagar Road, Pune Maharashtra, India, 411014

Tel.: +91 20 3056 2100/200/300, Fax: +91 20 3056 2600, Web: www.vascon.com

CIN: L70100PN1986PLC175750

F. No. 22-21/2020-IA.III

Government of India

Ministry of Environment, Forest and Climate Change

Impact Assessment Division

Indira Paryavaran Bhawan

Jor Bagh Road, Aliganj

New Delhi - 110003

sujit.baju@gov.in

Date: 7th July, 2021

Office Memorandum

Subject: Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ - Regarding.

The Ministry had issued a notification number S.O.804(E), dated the 14th March, 2017 detailing the process for grant of Terms of Reference and Environmental Clearance in respect of projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006.

2. This Notification was applicable for six months from the date of publication i.e. 14.03.2017 to 13.09.2017 and further based on court direction from 14.03.2018 to 13.04.2018.

3. Hon'ble NGT in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. Vs Synochem Organics Pvt. Ltd. &Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in Vineet Nagar Vs. Central Ground Water Authority &Ors., vide order dated 03.06.2021 held that "(...) **for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".

4. Further, the Hon'ble National Green Tribunal in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24.05.2021 has directed that "**...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SoP to all SEIAAs in the country**".

5. Therefore, in compliance to the directions of the Hon'ble NGT a Standard Operating Procedure (SoP) for dealing with violation cases is required to be drawn. The Ministry is also seized of different categories of 'violation' cases which have been

pending for want of an approved structural/procedural framework based on 'Polluter Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important that action under statutory provisions is taken against the defaulters/violators and a decision on the closure of the project or activity or otherwise is taken expeditiously.

6. In the light of the above directions of the Hon'ble Tribunal and the issues involved, the matter has accordingly been examined in detail in the Ministry. A detailed SoP has accordingly been framed and is outlined herein. The SoP is also guided by the observations / decisions of the Hon'ble Courts wherein principles of proportionality and polluters pay have been outlined.

7. Relevant Court Cases on the issue: It is noted that while deciding issues related to violations of the Environment Protection Act, 1986 on account of running the project/activity without prior environmental clearance or in excess of capacity allowed in such clearances, the Hon'ble courts have, *inter-alia*, deliberated on various facets involving 'violation' cases and have enunciated principles of 'Proportionality' and 'Polluter Pays' in various decisions viz. Industrial Council for Enviro-Legal Action Vs Union of India (the Bichhri village industrial pollution case) (1996 SCC [3] 212); Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. (C.A. No. 1526 of 2016, order dated 1.4.2020) and Hindustan Copper Limited Vs Union of India in (W.P. (C) No. 2364 of 2014, order dated 28.11.2014). The salient extracts of the judgements are as under:

Issue 1: Proposal for grant of Environmental Clearance in violation cases – to be considered on merits:

i. Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Vs Union of India in W.P. (C) No. 2364 of 2014, vide order dated 28.11.2014

Held: "(...) action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance cannot await initiation of action against the project proponent."

"(...) the proposal of the petitioner company for environmental clearance must be examined on its merits, independent of any proposed action for the alleged violation of the environmental laws."

ii. Hon'ble Madras High Court in the matter of Puducherry Environment Protection Association Vs The Union of India in W.P. No. 11189 of 2017, vide order dated 13.10.2017

Held "27. The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down only because of failure to obtain prior environmental clearance, even though the establishment may not otherwise be violating

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pollution laws or the pollution, if any, can conveniently and effectively be checked. **The answer necessarily has to be in the negative.**"

"29. It is reiterated that protection of environment and prevention of environmental pollution and degradation are non-negotiable. At the same time, the Court cannot altogether ignore the economy of the Nation and the need to protect the livelihood of hundreds of employees employed in projects, which as stated above, otherwise comply with or can be made to comply with norms."

Issue 2: Environmental Clearance – Prospective & not ex-post facto:

Hon'ble Supreme Court in the matter of Common Cause Vs Union of India in W.P. (C) No. 114 of 2014, vide order dated 2.8.2017

*Held: "(...) an EC will come into force **not earlier than the date of its grant.**"*

Issue 3: 'Principles of Proportionality' – to be applied:

Hon'ble Supreme Court in the matter of Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. in C.A. No. 1526 of 2016, vide order dated 1.4.2020

*Held: "(...) **this Court must take a balanced approach** which holds the industries to account for having operated without environmental clearances in the past without ordering a closure of operations. The directions of the NGT for the revocation of the ECs and for closure of the units do not accord **with the principle of proportionality**"*

Issue 4: 'Polluter pays' principle &

&

Issue 5: Costs for remedial measures implicit in Sections 3 & 5 of Environment (Protection) Act, 1986.

Hon'ble Supreme Court in the matter of Indian Council for Enviro- Legal Action Vs Union of India (the Bichhri village industrial pollution case) in (1996 SCC [3] 212)

Held:

a) The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. The said powers will **include giving directions ...** and also the power to **impose the cost of remedial measures** on the offending industry and utilize the amount so recovered for carrying out remedial measures.....

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b) **Levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5** which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry.

c) The question of liability of the respondents to defray the costs of remedial measures can also be looked into from accepted universally sound principle, viz., the "**Polluter Pays**" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

8. Legal provisions:

i. The Environment (Protection) Act, 1986 mandates the Central Government to take all measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution (reference sub-section (1) of Section 3 of Environment (Protection) Act, 1986). Further, clause (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 specifies that the measures stipulated under sub-section (1) of Section 3 of the Environment (Protection) Act 1986 includes 'such other matters as the Central Government deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act'.

ii. Further, notwithstanding anything contained in any other law but subject to the provisions of the Environment Protection Act, 1986, Section 5 of the Environment (Protection) Act, 1986, provides that the Central Government may, in the exercise of powers and performance of Central Government functions under the said Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

9. Definition of Violation and Non-compliance:

The Standard Operating Procedure (SoP) considers 'Violation' & 'Non-compliance' from the following perspective:

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i. "Violation" means cases where projects have either started the construction work or installation or excavation, whichever is earlier, on site or have expanded the production capacity and / or project area beyond the limit specified in the Environmental Clearance (Prior-EC) without obtaining Prior-EC or change of scope without prior approval from the Ministry.

ii. "Non-compliance" means non-compliance of terms and conditions prescribed by the Regulatory Authority in the Prior Environment Clearance accorded to the project.

10. Standard Operating Procedure – Guiding Principles:

i. Without prejudice to any other consequences, **action has to be initiated under section 15 read with section 19** of The Environment (Protection) Act, 1986 **against all violations.**

ii. Projects not allowable/ permissible, for grant of EC, as per extant regulations: **To be demolished.**

iii. Projects allowable/ permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted).**

iv. **Polluter pays:** Violators to pay for violation period - proportionate to the scale of project and extent of commercial transaction.

v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).

11. SOP for dealing with the violation cases:

Step 1: Closure or Revision

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to close its operation
2.	If prior EC is available for existing/old unit	Order to revert the activity/production to permissible limits.
3.	If prior EC was not required for earlier production level but is now required	Restrict the activity/production to the extent to which prior EC was not required.

Step 2: Action under Environment (Projection) Act, 1986

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

Step: 3: Appraisal under EIA Notification, 2006

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

A. If not permissible:

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing.**

*Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of commencement of project. Therefore, the activity is not permissible and therefore it shall be **closed & demolished.***

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for such closure & demolition of the project/activity.

B. If permissible:

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluters Pay principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may **be permissible but not environmentally sustainable in its present**

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form/configuration/features then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and **will be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan.**

Note - The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, **shall be effective only from the date of issuance of such clearance** and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc. finalized in each case.

12. Penalty provisions for Violation cases and applications:

a. For new projects:

- i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs.1 lakh for project cost of Rs.1 Cr]
- ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report **PLUS** 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr]

SA

b. For expansion projects:

- i. **Where operation/production with expanded capacity has not commenced:**
1% of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.
- ii. **Where operation/ production with expanded capacity have commenced:**
1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

12.1. Without prejudice to obligation as per (a) & (b) above, where the project or activity is considered for appraisal as above & the project proponent fails to provide required information or requisite documents or complete the requisite study for the purpose of EIA/EMP reports or does not furnish such reports within such period, as specified by the appraisal committee, without reasonable cause, it shall be inferred that the project proponent is not serious enough and the project or activity shall be directed to be demolished / closed.

✓ 12.2. The percentage rates, as above, shall be halved if the project proponent *suo-moto* reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.

12.3. The penalty, as above, shall be in addition to liability for carrying out various remedial measures which shall be worked out based on the damage assessment for quantifying the environmental damage caused due to unauthorized project activity [as per Step 3 enumerated above].

13. Identification of Violation cases:

With a view to protecting the environment and to expeditiously bring violators into a regulatory regime so as to prevent & control environment damage caused by such violation & to determine whether operation of such projects is permissible and to take action stipulated under Section 15 of the Environment (Protection) Act, 1986 for contravention of the provisions of the said Act, Rules, orders and directions, it is expedient to also identify the cases of violation, examine and appraise such projects so as to refrain them from causing further environmental damage and also to compensate for causing damage to the environment. Therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the Central Government hereby directs that:-

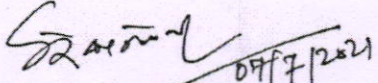
- i. State Pollution Control Boards & Union Territory Pollution Control Committees, before grant or renewal of Consents under Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981, shall ensure that the project proponents applies for or possess valid Prior

Sd/-

Environmental Clearance in terms of extant EIA Notification and shall not grant or renew CTO (Consent to Operate) unless Environment Clearance (if applicable) has been obtained.

- ii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory Level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.
- iii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall expeditiously examine the references, received from public and other bodies, relating to violations and take necessary steps as per (ii) above.

14. This is issued with the approval of the Competent Authority.


 (Dr. Sujit Kumar Bajpayee)
 Joint Secretary (IA)

To

1. Chairperson/Member Secretary of Central Pollution Control Board
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs
3. Chairman/Members of all the Expert Appraisal Committees
4. Chairman/Members of all the State Pollution Control Boards and Union Territory Pollution Control Committees

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS for Environment, Forest and Climate Change
3. PPS to Secretary(EF&CC)
4. PPS to AS(RS) / AS (RA)/ AS (UD)/ JS(JT) / JS (MP)/ JS (NPG)
5. All the officers of IA Division
6. Website of MoEF&CC/PARIVESH/Guard file

Copy (by email) also forwarded to the Registrar, NGT, in compliance to instruction given in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors.(order dated 24.05.2021).



VASCON

Date: 18th October 2022

Ref : Vascon Engineers Ltd/Koregaon Park / SEIAA/ Sr. No. 001

Member Secretary

**State level Environmental Impact Assessment Authority (SEIAA),
Maharashtra**

Room No. 217, Annex Building,

Mantralay,

Mumbai- 400 032

***Sub: Environmental Clearance under EIA Notification 2006- Category 8a
– Application under Office Memorandum Dated 7-7-2021 (F.No. 22-
21/2020-IA.III) issued by Ministry of Environment, Forests and
Climate Change (MOEFCC).***

Dear Madam,

We are having a Residential Construction Project "Vascon Windermere" at FP No.331 Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune 411001. In this regard we submit as follows:

1. For this project, we have received the previous Environmental Clearance (EC) vide no. SEAC-2010/CR.669/TC.2 dated 20/01/2012 from SEIAA of Maharashtra. This EC was granted for Two Residential Towers, Club House and One Commercial Building.
2. Two Residential Tower and a Club House have been completed exactly in accordance with the configuration permitted by the said Environmental Clearance.
3. However; later, we have changed the project design as per the market need and **instead of One Commercial Building, we have Proposed for Four (4) Residential Bungalows.**
4. The total construction as of today is **much below the** Total Built Up Area (BUA) permitted by the said EC. As of today, Two residential Towers, Club house and One Bungalow is complete, Total BUA which is much below the built up area permitted in previous EC. However, since the building

VASCON ENGINEERS LTD.

Registered & Corporate Office: Vascon Weikfield Chambers, Behind Hotel Novotel, Opposite Hyatt Hotel, Pune Nagar Road, Pune Maharashtra, India, 411014

Tel.: +91 20 3056 2100/200/300, Fax: +91 20 3056 2600, Web: www.vascon.com

CIN: L70100PN1986PLC175750



VASCON

5. Configuration is changed; we have voluntarily decided to apply for EC under Violation category.
6. We have applied for the Environmental Clearance vide proposal no. SIA/MH/MIS/236453/2021 dated 2-11- 2021 **and voluntarily disclosed the violation** by execution of change of building configuration against the one permitted in the earlier EC. **This was voluntary disclosure of probable violation**, though the Environmental Impacts due to this change have been positive and no negative impact is observed due to this change. The SEAC III in its 135th meeting dated 15.02.2022 has examined our case and referred to SEIAA for verification of violation.

The SEIAA in its 247th meeting has heard our case wherein we have informed SEIAA that we are **voluntarily accepting the violation and will apply afresh under the said office memorandum.**

Therefore, we are herewith applying again under violation category in accordance with the Office Memorandum Dated 07-07-2021 issued by Ministry of Environment, Forests and Climate Change, New Delhi vide no. F. No. 22-21/2020.IA.III which prescribes Standard Operating Procedure for Identification and Handling of Violation Cases under EIA Notification 2006. This application is also supported by MoEFCC's Office Memorandum dated 28-1-2022 (F.No. 22-21/2020-IA.III (E 138949).

7. Accordingly, we have applied for the terms of reference (TOR) vide proposal no. SIA/MH/MIS/74806/2022 dated 5th April 2022. We have received auto generated TOR dated 06/04/2022.

Accordingly, we have prepared the Environmental Impact Assessment Report (EIA) as per the TOR granted.

Enclosed please find our application form (in the format prescribed by the said notification) along with requisite annexure. We hope you will find this in order and request you to kindly process our application at your earliest.

Thanking you,

Sincerely,

For Vascon Engineers Ltd.

Authorised signatory

VASCON ENGINEERS LTD.

Registered & Corporate Office: Vascon Weikfield Chambers, Behind Hotel Novotel, Opposite Hyatt Hotel, Pune Nagar Road, Pune Maharashtra, India, 411014

Tel.: +91 20 3056 2100/200/300, Fax: +91 20 3056 2600, Web: www.vascon.com

CIN: L70100PN1986PLC175750

Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April, 2023

Item no. 32

Proposal No.:- SIA/MH/INFRA2/403183/2022

Type of Project: EC

Subject- Environmental Clearance for Expansion cum modernization of residential construction project at FP No.331 Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune by M/s. Vascon Engineers Ltd.

Project Details-

Representative of PP was present during the meeting along with environmental consultant M/s. Sneha Hi-Tech Products.

Brief information of the proposal is as below:

1.	Proposal Number	SIA/MH/Infra2/403183/2022	
2.	Name of Project	Expansion-Cum -Modernisation of Residential Construction project at Koragao Park by Vascon Engineers Ltd. (Violation Project)	
3.	Project category	8a (B2)	
4.	Type of Institution	Private	
5.	Project Proponent	Name	Vascon Engineers Ltd.
		Registered office address	Vascon Weikfield Chambers, Opposite Hotel Hyatt Regency, Pune-Nagar Road, Viman Nagar Road, Pune-411014
		Contact Number	9822206391
		e-mail	pranoti@vascon.com
6.	Consultant	EMP Consultants: Sneha Hi-Tech Products, Bangalore Pune as accredited consultants (vide accreditation no.: NABET/EIA/2124/RA 0235 valid till 15th February 2024) (The scope of consultancy is limited only to preparation of Environmental Management Plan in accordance with EIA amendment notification dated 3rd March 2016)	
7.	Applied for	Expansion Cum Modernisation	
8.	Details of previous EC	Previous EC vide no. SEAC-2010/CR.669/ TC .2 Dated20/01/2012 (Expired)	
9.	Location of the project	FP No.331 Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune-411001	
10.	Latitude and Longitude	Latitude : 18°32'19.51"N Longitude: 73°53'44.68"E	
11.	Total Plot Area (m2)	19,191.73	
12.	Deductions (m2)	903.10	
13.	Net Plot area (m2)	18288.63	
14.	Proposed FSI area (m ²)	26400	
15.	Proposed Non FSI area (m ²)	27600	
16.	Total BUA (m ²)	54000	
17.	TBUA (m2) approved by Planning Authority till date	54000 SQM as per the sanction plan no. CC/2952/17 dated 06/02/2018	

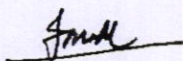
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Member Secretary

M. M. M.
Chairman

Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April, 2023

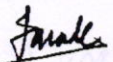
18.	Ground coverage (sqm) & %	7028 sqm and 36.62 %				
19.	Total Project Cost (Rs.)	193 Cr (Expansion Project Cost= 20 Cr)				
20.	CER as per MoEF& CC circular dated 01/05/2018	Activity	Location	Cost (Rs.)	Duration	
CER Activity will be done as and if required as directed by SEAC.						
21.	Details of Building Configuration: <Please use following legends: Floor = F , Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>					
Previous EC/Existing Building			Proposed Configuration			Reason for Modification /Change
Bldg. Name	Configuration	Ht. (m)	Bldg. Name	Configuration	Ht. (m)	
2 Residential Buildings (Each B+22 and Ht 69.8m)			Tower I	B+22	69.8	Construction Completed
			Tower II	B+22	69.8	
1 Commercial Building			Villa 1	B+G+2	11.7	Changes due to changed market situation
			Villa 2	B+G+2	11.7	
			Villa 3	B+G+2	11.7	
			Villa 4	B+G+2	11.7	
Club House	G +1	7.50	Club House	G+1	7.5	Construction Completed
22.	Total No. of Tenements	76 tenements + 4 Villa				
23.	Water Budget	Dry Season (CMD)		Wet Season (CMD)		
		Fresh Water	36	Fresh Water	36	
		Recycled	43	Recycled	18	
		HVAC	0	HVAC	0	
		Swimming pool	2	Swimming Pool	2	
		Flushing	18	Flushing	18	
		Total	79	Total	54	
		Wastewater generation	50	Wastewater generation	50	
24.	Water Storage Capacity for Firefighting / UGT	UGT - Domestic water tank : 100 KL Raw water tank : 30 KL Fire water tank : 300 KLD Treated water Tank : 75 KLD				
25.	Source of water	Pune Municipal Corporation				

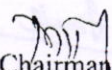

Member Secretary


Chairman

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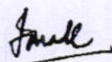
26	Rainwater Harvesting (RWH)	Level of the Ground Water	Summer- 11.50 m (Average) Winter- 8.84 m (Average) Monsoon- 6.17 m (Average)	
		Size and no of RWH tank(s) and Quantity:	NA as no tank is proposed	
		Quantity and size of recharge pits:	4 No. RWH pits (2.50 m X 2.50 m X 2.00 m) with 6" dia. 30 m to 60 m deep bore well via 1 no. of 0.9 m dia. 1m deep de siltation pit & 2 No. RWH pits (2.50 m X 2.50 m X 2.00 m) with 6" dia. 30 m to 60 m deep bore well via 2 no. of 0.9 m dia. 1m deep de siltation pit with O & G trap.	
		Details of UGT tanks if any:	As per point no. 24	
27	Sewage and Waste water	Sewage Generation (CMD)	50 CMD	
		STP technology	MBBR	
		Capacity of STP (CMD)	60 CMD	
28.	Solid Waste Management during construction phase	Type	Quantity	Treatment / Disposal
		Dry Waste	14 KG	Through authorized vendor
		Wet waste	32	Organic waste composter
		Construction waste	1% of raw material	For filling on same site
29.	Solid waste Management during Operation phase	Type	Quantity	Treatment / Disposal
		Dry Waste Kg/day	80	Through authorized vendor
		Wet waste Kg/day	120	Organic waste composter
		Hazardous waste	NA	NA
		Biomedical waste	NA	NA
		E- waste Kg/year	200	Through authorized vendor
		STP sludge Kg/day	23	Organic waste composter
30.	Green Belt	Total RG area (m2)	1861.15	


Member Secretary


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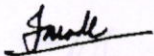
	Development	Existing trees on plot	78	
		Number of trees to be planted	66	
		Number of trees to be cut	0	
		Number of trees to be transplanted	0	
31.	Power requirement	Source of power supply	MSEDCL	
		During Construction Phase (Demand Load)	45 KW	
		During Operation phase (Connected load)	2379 KW	
		During Operation phase (Demand load)	1134 KW	
		Transformer	630 KVA X 2 Nos.	
		DG set	750 KVA X 2 Nos.	
		Fuel Used	Diesel	
32.	Details of Energy Savings	Details	Savings (units/ annum)	
		Common area lighting	79124	
		Parking area lighting	96360	
		External area lighting	41281	
		Buildings Solar PV system	60750	
		Solar Water Heater	53010	
33	Environmental Management plan budget during construction phase	Type	Details	Cost (lakhs)
		Capital	Erosion control, Site Safety, Site Sanitation, Disinfection & Health check up, Environmental Monitoring	7.0



Member Secretary


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Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April, 2023

		O & M cost	Erosion control Site Safety Site Sanitation Disinfection & Health check up Environmental Monitoring	1.0	
34	Environmental Management plan budget during construction phase	Component	Details	Capital Cost (Lakhs)	O & M Cost (Lakhs)
		Storm Water	Network upto final disposal point	3.50	0.50
		Sewage Treatment	Installation of STP	18.50	2.00
		Water treatment	Disinfection treatment	--	--
		RWH	Bore holes and pits	5.50	0.50
		Swimming pool	Construction & Equipment	40.00	5.00
		Solid waste	OWC Machine	6.00	1.00
		Hazardous Waste	--	--	--
		E waste	--	--	--
		Green belt development	Plantation of trees and Maintenance	86.50	5.00
		Energy Saving	Solar Equipment	56.50	1.00
		Environmental Monitoring	Monitoring and analysis of air, water, soil & noise	1.50	2.00
			Disaster Management plan	Fire Fighting System	610
35.	Traffic Management	Type	Required as per DCR	Provided	Area of parking (m ²)
		4-Wheeler	253	311	3887.5
		2-Wheeler	169	169	507
		Bicycles	169	169	192.66
36	Details of Court cases/	No such cases till date			


Member Secretary


Chairman

Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April, 2023

litigations w.r.t. the project and project location if any
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SEAC Deliberation –

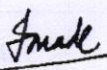
PP stated that, the application is an expansion cum modernization in existing environmental clearance. PP further stated that, the Project is a residential project located in Koregaon Park, Pune. PP informed that, they have received previous EC vide no. SEAC-2010/CR.669/ TC .2 Dated 20/01/2012 (Expired). PP further informed that, the project comprises of Tower I and Tower II with B+22 building configuration, Villa 1, 2, 3, and 4 with B+G+2. building configuration and 1 Club House with G+1 building configuration.

PP stated that, they have received earlier EC vide letter dated 20/1/2012. PP further stated that they have applied for the Environmental Clearance vide proposal no. SIA/MH/MIS/236453/2021 dated 2-11- 2021 and voluntarily disclosed the violation by execution of change of building configuration against the one permitted in the earlier EC. PP stated that, the SEAC III in its 135th meeting dated 15.02.2022 has examined the case and referred to SEIAA for verification of violation. The SEIAA in its 247th meeting has heard the case wherein PP has informed SEIAA that they are voluntarily accepting the violation and will apply afresh under the said office memorandum. SEIAA MoM of 247th Meeting is as follow-

SEAC Deliberation –

It was submitted that earlier Environmental Clearance was obtained by PP 20th Jan 2012 for Total Built-up area of 42526.36 sq. Meter (Excluding parking) for 2 residential Buildings with 80 residential tenements and one commercial building. Application for Amendment in EC was submitted on ecmpcb.in web portal on 1st April 2019 for built-up area of 54,139.29 sq.meter. The application was placed in 114th SEAC II meeting held on 05th February 2021. During discussion the Committee noted that both PP and Consultant were unable to explain the current state of construction carried out on the plot vis-à-vis previous EC granted vide letter number SEAC-2010/CR.669/TC.2 dated 20/01/2012. The Committee directed the Consultant to carry out videography on the plot and report the current status of construction carried out along with relevant documents / approvals issued by competent authority. PP withdrawn the application and resubmitted the present application on parivesh portal on 02-11-2021 for Construction area 54000 Sq. meters. Further it was informed that Six monthly Compliance report submitted to MoEF Nagpur for the period June 2021 to December 2021. However visit of Regional office, MoEFCC is awaited.

The case was discussed on the basis of the documents submitted and presentation made by the proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(b) B2.


Member Secretary


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Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April, 2023

During further deliberations it was observed that PP has constructed two Residential Buildings with 76 tenements (Completed), however One Club House and 1 villa is under construction in addition to 3 villas are proposed instead on one commercial Building sanctioned in earlier Environmental Clearance granted in the Year 2012. PP has changed the profile in comparison with earlier Environmental clearance granted which seems to be a violation.

Recommendations of SEAC-

After deliberation, Committee decided to recommend the proposal for initiation of necessary action.

Deliberation in SEIAA-

Proposal is an expansion of existing construction project. Project has received earlier EC vide EC vide no. SEAC-2010/CR.669/ TC .2 Dated 20/01/2012. SEAC in its 140th meeting refer the proposal for violation as PP has changed the profile in comparison with earlier Environmental clearance.

The proposal was considered in 240th meeting of SEIAA and PP was absent for the meeting.

Now, PP has voluntary accepted the violation. SEIAA after deliberation decided to reject the instant proposal and asked PP to apply under SOP issued by MoEF&CC for violation cases within one month. SEIAA further directed SEIAA Cell to communicate with MPCB regarding initiation of action u/s 15 of Environment Protection Act, 1986 for violation of EIA Notification, 2006.

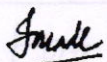
SEIAA Decision-

SEIAA after deliberation decided to reject the proposal.

According, PP has submitted the new application under violation category on 05-04-2022 vide application SIA/MH/MIS/74806/2022. PP stated that, they have received Auto granted Terms of Reference vide letter dated 06-04-2022. PP further stated that, they have submitted EC application under violation category vide Proposal no. SIA/MH/Infra2/403183/2022 (Voluntary Disclosure) on 19-10-2022 for total built up area 54,000.00 Sq.mt

SEAC-3 appraises the proposal as per Circular dated 22.08.2022. The case was discussed on the basis of the documents submitted and presentation made by the proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(a) B1.

SN	Details	Previous EC – SEAC- 2010/CR.669/TC.2 dated 02 January 2012	Total After Expansion	Remark
1.	Site address	FP No.331 Sangamwadi TP Scheme, North Main Road, Koregaon Park, Pune 411001		No Change


Member Secretary


Chairman

Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April,2023

2.	Project Proponent	Vascon Engineers Ltd.		No Change
3.	Plot area (sqm)	19,191.63		No change
4.	FSI area (sqm)	26,702.14	26,400.00	(-) 302.14
5.	Non FSI (sqm)	15,824.22	27,600.00	--
6.	Built up area (sqm)	42,526.63 (Excluding Parking) Parking area 19,093	54,000 (Including Parking) Parking area =12,102.52	Parking area reduced (-) 6990.48
7.	Building Configuration	2 Residential Buildings	Tower I – B +22 Tower II – B +22	No change (Buildings completed)
		1 Commercial Building	4 Villas – B+G+2	1 Commercial building replaced with 4 Villas
		Club House- G +1	Club House -G+1	No change (Completed)
8.	Plinth Area (sqm)	8318	7028	(-) 1290
9.	Tenements	80	76 + 4 Villas	No change
10.	Estimated Population	Residential: 665 Commercial: 661	Residential: 400	Residential: (-) 265
11.	Parking area (sqm)	19,093	12,102.52	(-) 6990.48 (2 parking levels omitted)
12.	No. of car	418	311	(-) 107
13.	No. of Two wheeler	850	169	(-) 681
14.	No. of cycles	319	169	(-) 150
15.	Fresh Water (KLD)	73	36	(-) 37
16.	Wet waste (kg/day)	200	120	(-) 80
17.	Dry Waste (kg/day)	166	80	(-) 86
18.	Connected Load	1750 KW	2379 KW	(+) 629 KW
19.	No. of Transformer	630 KVA X 3	630 KVA X 2	--
20.	No. of DG Sets	630 KVA X 3	750 KVA X 2	(-) 390 KVA
21.	Landscape area	3151 sqm	4147 sqm	(+) 996 sqm
22.	No. of new Trees	115	144	(+) 29
23.	EMP – Capital cost	1.85 Cr	2.18 Cr	(+) 0.33 Cr
24.	EMP- O & M cost	7.05 lakhs	17.00 lakhs	(+) 9.95 lakhs

Damage assessment report specifying activities contributing to the environmental damage and degradation noted from the report and deliberated in detail during the meeting.

Damage costing as per MoEF OM - SOP on handling Violation cases, dated 07.07.2021

Sr. No.	Details	Amount in INR	
A.	Total project cost incurred up to the	Rs.	Project cost of area under

Juade
Member Secretary

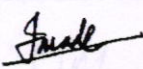
MST
Chairman

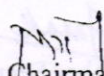
Minutes of 259th Day 1 (Part C) meeting of SEIAA held on 19th April, 2023

	date of filing of the application	4,50,00,000	violation
B.	Cost of remedial measures as per damage assessment	Rs. 20,75,000	Cost Derived from following table
C.	1% of A	Rs. 4,50,000	
D.	Total project turnover during the period of violation	0	
E.	0.25% of the total turnover during the period of violation	0	
F.	Total Penalty B+C+E	Rs. 25,25,000	
G.	The amount shall be halved if PP reports such violation without coming to the knowledge of the Government	Rs. 12,62,500	As per MoEF OM - SOP on handling Violation cases, dated 07.07.2021 The percentage rates, as above, shall be halved if the PP Suo-moto reports such violations without such violation coming to the knowledge of the Government either on inquiry or complaint

Description of Activities Completed at Site

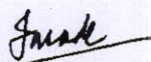
Attributes	Scope of saving on account of environmental protection measures	EMP cost		References
		Recurring cost, per day (Rs.)	Non-recurring cost (Rs.)	
Air Pollution	Water requirement for sprinkling (KL/day): Cost of 1 KL water (Rs):		Cost of 1 KL water (Rs): <u>Rs. 88.2</u> Total cost of sprinkling of water for bungalow construction is <u>Rs. 3,92,490</u>	<i>The cost of Water Tankers has been referred from in consultation with Pune Municipal Corporation - Rs. 88.2 / KL</i>
Water	A. Cost of water requirement			

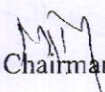

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Chairman

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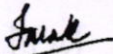
Pollution	a). Construction phase:	<p>No. of labours = 25</p> <p>Recurring cost for water consumption</p> <p>= No. of labours x water requirement per day x rate of water</p> <p>= 25 labours x 45lpcd x Rs. 5.5/1000 = Rs. 6.18 /day</p> <p>[Rate of drinking water @Rs. 5.5/ m³]</p>	<p>1. Water required for construction is 2 kl /m²</p> <p>2. Violation Construction area = 1096.64 m²</p> <p>3. Total Water required during construction = 2193.28 kl</p> <p>4. 2193.28 x 88.2 = Rs. 1,93,447.30</p> <p>5. Source: Tanker Water</p>	<p>The water tariff domestic water rate has been considered in consultation of Pune Municipal Corporation - Rs. 5.5/ m³</p> <p>The water required for construction has been considered from a Research paper titled "Assessment of water resource consumption in building construction in India" - Rs. 2KL / Sq.m</p>
	b). Operation phase:	No unit occupied		
Attributes	Scope of saving on account of environmental protection measures	EMP cost		References
		Recurring cost, per day (Rs.)	Non-recurring cost (Rs.)	
Water Pollution	B. Cost of sewage treatment, reuse & disposal:			
	a). Construction phase	<p>1) No. of labours = 25</p> <p>2) Approximate Cost of sewage treatment in MBBR STP = Rs. 9.13/m³/day</p> <p>3) Sewage generation = 25x45x0.9/1000 = 1.01 m³/day</p> <p>4) Cost of treatment per day = (2)x(3) = 9.13 x 1.01 = Rs. 9. 22/day</p>		The cost of sewage treatment in MBBR STP per day has been calculated considering STP Capacity and O&M Cost - Rs. 9.13/m ³ /day
	b). Operation phase:	No unit occupied		
	C. Quantity of water pumped	No groundwater was encountered during		

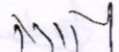

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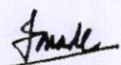
	out during excavation and a lumpsum cost of Rs. 50 per cum for such unauthorized water extraction and disposal	excavation. <ul style="list-style-type: none"> Ground water level: <p>In Summer – 11.5m In Winter – 8.84m In Monsoon - 6.17m</p> Foundation maximum depth: <p><u>For Bungalow – 2.06 m</u> <u>Existing Towers – 2.4 m</u></p> 		
	D. cost of construction & maintenance of recharge well		Total no. of recharge pits: 06 Sizes of recharge pits: 2.50 m X 2.50 m X 2.0 m All pits are completed (for total project) Total Cost of maintenance from <u>29.12.2018</u> to <u>19.10.22</u> = 3.8 years = 3.8 x 50,000 = Rs. 1,60,000	<i>The cost of maintenance of Recharge Pits has been considered from O&M Cost - Rs. 50,000 /year</i>
Attributes	Scope of saving on account of environmental protection measures	EMP cost		References
		Recurring cost, per day (Rs.)	Non-recurring cost (Rs.)	
Soil environment	In case of demolition has carried out, the cost of demolition waste management plan needs to be discussed and finalized as non-recurring cost.	NA		
	In case there is some hazardous waste like asbestos or the site is located on	NA		



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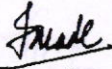
	<p>industrial area where hazardous chemical or waste was handled, the cost based on due diligence of the project site, as given by consultants. (the report must include soil analysis, water analysis, MPCB consent copies, manifest of HW if any). This requires critical examination from SPCB.</p>			
	<p>Cost of preservation of top soil & excavated earth to be considered. [Area (m²) x depth (m) x sp. Gravity (kg/m³) x cost per MT (Rs.)]</p>		<p>1)C:\Users\archana.shirke\Downloads\Debris Management Plan - Excavation Details.pdf Topsoil used for Landscaping - 2500 m³ C:\Users\archana.shirke\Downloads\Debris Management Plan - Excavation Details.pdf 2)C:\Users\archana.shirke\Downloads\Debris Management Plan - Excavation Details.pdf Total excavated quantity - 23,084.05 m³ Rate of soil preservation: Rs. 43.52/m³ Total Cost = 23,084.05 x 43.52 = Rs.10,04,617.85</p>	<p>The soil preservation rate has been considered from the document "Mahatma Gandhi Rastriya Gramin Rozgar Hami Yojana" The document is valid from 1st April 2022 - Rs. 43.52/m³</p>
Attributes	Scope of saving on account of environmental protection measures	EMP cost		References
		Recurring cost, per day (Rs.)	Non-recurring cost (Rs.)	


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Noise and Vibration	For damage due to noise pollution & vibration, the cost of barricades around the project site should be considered. [perimeter (m) x height of the barricade(m) x cost of the sheet)		Barricading was done during construction Cost of barricading = Rs 196042.7 per running km Perimeter = 0.535 km Total Cost = 0.535 x 196042.7 Total Cost = Rs.1,84,882.85 Rate – From SSR 2021 – 22 Pg 129	The Cost of Barricading has been taken from State Schedule Rates SSR 2021 -22 from Item No. 23.03, Page No. 129 Basic Rate Rs. 85,803 , Rs. 90,093.15/MT, Rs. 1,96,042.69 / KM	
Green Belt	In case of any tree cutting without EC cost of Rs. 10000/- per tree apart from any statutory action for such tree cutting if any, Cost of planting & maintaining trees (Number of trees as per the bye- laws) Cost of compensatory tree plantation (5 trees for each tree cut)		Proposed no of trees: 144 Nos. Trees on site: 97 Nos. (As per Tree Survival Report) Remaining trees yet to be planted: 47 Nos. 1. Maximum Cost of 1 sapling =C:\Users\archana.shirke\Downloads\Soil Preservation Rate & Tree Sapling Rate.pdfRs. 200 Total cost of saplings = 47 x 200 = Rs. 9400 2. Cost of Labour for Pits: Pits dug per day: 10 no. Cost of labour for digging pits = Rs 256/day Total (256 x 47/10) =Rs. 1203.20 3. Cost of labour for plantation: (10 days)=(10 x256) = Rs. 2560 Total (1+2+3) = Rs. 13,163.20	Labour rates has been considered from the gazette of India circular under Gramin Vikas Mantralay - Rs. 256/ day Tree sapling rate a has been considered from Krishi Aayuktalay – Maharashtra circular published in 2021 - Rs. 200 / Tree (maximum has been considered)	
Attributes	Scope of saving on account of environmental protection measures	EMP cost	Recurring cost, per day (Rs.)	Non-recurring cost (Rs.)	References
RH/OHS	Cost of -workers benefit to be considered in view of Building and Other Construction			Labour Welfare cess paid to the concerned authority.	


Member Secretary



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	Workers' Welfare Cess Act, 1996			
	A. cost of health check-up of workers: B. cost of safety measures including PPEs:		<p><u>Cost of PPE and Health check-up</u> Safety Harness: Rs.1000 Helmet: Rs. 210 Shoes: Rs. 400 Goggles: Rs. 100 Safety Gloves: Rs. 470 Masks and ear plugs: Rs. 100 First aid Kits: Rs. 200 Total Rs. 2480 <u>Health Check-up once a year: Rs. 1500</u> labours = 25 x (2480+1500) x 1 = Rs. 99,500</p>	<p><i>Cost of PPE has been calculated considering the requirements such as Safety Harness: Rs.1000, Helmet: Rs. 210, Shoes: Rs. 400, Goggles: Rs. 100, Safety Gloves: Rs. 470, Masks and ear plugs: Rs. 100 and First aid Kits: Rs. 200 - Rs. 2480 / PPE Kit</i></p> <p><i>The Cost of Health check-up for labour has been considered as per the full body check-up plans available in the diagnostic centres - Rs. 1500 / Labour</i></p>
Total			Rs. 20,48,101.20	

Calculation of cost of Remediation and Natural and Community Resource Augmentation Plan

Sr no.	Description	Details	Amount
A.	Assessment of Environment Damages		
1.	Recurring Cost	Cost arrived from above table per day X number of days in violation (1717)	a+b+c+d = Rs. 26,443


Member Secretary


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		Construction Phase a) Water Consumption Cost arrived from Table above for water consumption per day = Rs 6.18/day Total Cost = 6.18 x 1717 = Rs. 10,612 b) Sewage generation Period of violation = 1717 days Cost arrived from Table above for sewage treatment per day = Rs. 9.22/day Total cost = 9.22 x 1717 = Rs. 15,831 Operational phase c) Water consumption - No unit occupied d) Sewage Generation - No unit occupied	
2	Non-recurring cost	Cost as arrived from above table above	Rs. 20.48 Lakh
	Sub Total (1+2 above)	Total 1+2 = 20.48 + 0.27 = Rs. 20.75 Lakh	Rs. 20.75 Lakh

It is noted that,

- As per the Office Memorandum issued by Ministry of Environment Forest and Climate Change vide orders no F.No.22-21/2020-IA.III Dated 7th July 2021, The penalty cost is arrived at Rs. 25.25 Lakh
- As per format given in SEIAA Circular, the Damage Assessment value is arrived at Rs. 20.75 Lakh


After deliberation, Committee decided to recommend the proposal for Environmental Clearance to SEIAA for further needful subject to conditions that-

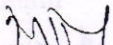
1. PP to explore to increase the solar energy saving.
2. PP to obtain revalidated the water NoC.
3. PP to submit the MoD NoC or CCZM map showing its non-requirement.
4. PP to provide minimum 30% of total parking arrangement with electric charging facility by providing charging points at suitable places. PP to ensure that this should be provided in AC/DC combination.
5. PP to ensure that, the water proposed to use for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.

Recommendations of SEAC-

After deliberation, Committee decided to recommend the proposal for Environmental Clearance to SEIAA for further needful subject to conditions that-

1. PP to explore to increase the solar energy saving.
2. PP to obtain revalidated the water NoC.


Member Secretary


Chairman

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3. PP to submit the MoD NoC or CCZM map showing its non-requirement.
4. PP to provide minimum 30% of total parking arrangement with electric charging facility by providing charging points at suitable places. PP to ensure that this should be provided in AC/DC combination.
5. PP to ensure that, the water proposed to use for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.

Deliberation in SEIAA-

Proposal is an application under MoEF&CC OM dated 07.07.2021 as a violation proposal. Proposal was considered by SEAC-3 in its 159th meeting and recommended for grant of Environment Clearance under violation category for total plot area of 19,191.73 m², FSI area of 26400 m², Non FSI area of 27600 m² and total BUA of 54000 m².

SEAC recommended the proposal for grant of Environment Clearance under violation category as per MoEF&CC OM dated 07.07.2021 with damage assessment value of Rs. 20.75 lakhs and Penalty amount of Rs. 25.25 lakhs

Proposal was then considered by SEIAA in its 256th meeting and deferred as PP has not submitted the damage assessment value as per approach paper i.e. minimum amount of 1.00 Crore. Now, PP submitted the revised damage assessment value of 1.00 Crore. SEAC has also revised their MOM with damage assessment value of 1.00 crore.

The authority noted the revised ecological damage assessment and the economic benefits accruing as a result of the violation and also the penalty amount as appraised by SEAC. Authority also noted the corresponding Environment Management Plan revised by PP costing Rs.1.00 crore taking into consideration the remediation plan and Natural and Community Resource augmentation Plan. The Authority accepted the recommendations of the SEAC and decided to grant Environment Clearance subject to submission of Bank Guarantee of Rs. 1.00 crore towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan and submission of penalty of Rs. 25.25 lakhs.

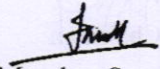
At the outset, SEIAA asked PP whether they are in receipt of Certified Compliance Report (CCR) as mandated by MoEF&CC Office Memorandum dated 26.09.2022. PP submitted that, they have obtained the same dated 20.02.2023. SEIAA noted the same and asked PP to strictly comply with the points raised in the Certified Compliance Report (CCR) dated 20.02.2023.

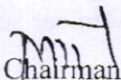
Further, SEIAA also directed SEIAA cell to confirm with Maharashtra Pollution Control Board whether action has been initiated against the PP under the Section 15 (read with Section 19) of Environment (Protection) Act, 1986.

✓ SEIAA after deliberation decided to grant EC for – FSI –26338.16 m², Non FSI-27661.84 m², Total BUA-54000.00 m². (Plan approval No.CC/2952/17, dated-06.02.2018)

SEIAA after deliberation decided to grant Environment Clearance subject to compliance of following conditions-

1. PP to submit Bank Guarantee of Rs. 1.00 crore towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan. PP to implement remediation plan and Natural and Community Resource augmentation Plan


Member Secretary


Chairman

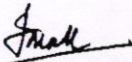
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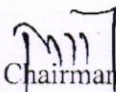
within 6 months from grant of this Environment Clearance. PP also to submit penalty of Rs. 25.25 lakhs.

2. Maharashtra Pollution Control Board to ensure that, action has been initiated against the PP under the Section 15 (read with Section 19) of Environment (Protection) Act, 1986 for violation provisions of EIA notification, 2006.
3. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
4. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
5. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA.III dt.04.01.2019.
6. SEIAA after deliberation decided to grant EC for – FSI –26338.16 m², Non FSI-27661.84 m², Total BUA-54000.00 m². (Plan approval No.CC/2952/17, dated-06.02.2018)

SEIAA Decision-

SEIAA after deliberation decided to grant Environment Clearance.


Member Secretary


Chairman

ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), MAHARASHTRA)

To,

The Managing Director
M/S VASCON ENGINEERS LTD.

Vascon Weikfield Chambers, opposite Hyatt Hotel Regency, Pune Nager
Road, Viman Nager road Pune 4 -411014

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/MH/INFRA2/403183/2022 dated 19 Oct 2022. The particulars of the
environmental clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC24B038MH185370 |
| 2. File No. | SIA/MH/INFRA2/403183/2022 |
| 3. Project Type | Expansion |
| 4. Category | B |
| 5. Project/Activity including
Schedule No. | 8(a) Building and Construction projects |
| 6. Name of Project | Expansion cum modernization of
residential construction project at
Koregaon Park by M/s. Vascon Engineers
Ltd.(Violation Category) |
| 7. Name of Company/Organization | M/S VASCON ENGINEERS LTD. |
| 8. Location of Project | MAHARASHTRA |
| 9. TOR Date | N/A |

The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 09/02/2024

(e-signed)
Pravin C. Darade , I.A.S.
Member Secretary
SEIAA - (MAHARASHTRA)

*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

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PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

No. SIA/MH/INFRA2/403183/2022
 Environment & Climate
 Change Department
 Room No. 217, 2nd Floor,
 Mantralaya, Mumbai- 400032.

To
 M/s. Vascon Engineers Ltd.,
 FP No.331 Sangamwadi, T.P. Scheme,
 North Main Road, Koregaon Park, Pune.

Subject : Environmental Clearance for Expansion cum modernization of residential construction project at FP No.331 Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune by M/s. Vascon Engineers Ltd.

Reference : Application no. SIA/MH/INFRA2/403183/2022

This has reference to your communication on the above-mentioned subject. The proposal was considered by the SEAC-3 in its 159th meeting under screening category 8 (a) B2 as per EIA Notification, 2006 under violation category as per MoEF&CC OM dated 07.07.2021 and recommend to SEIAA. Proposal then considered in 259th (Day-1) meeting of State Level Environment Impact Assessment Authority (SEIAA).

2. Brief Information of the project submitted by you is as below:-

1.	Proposal Number	SIA/MH/Infra2/403183/2022	
2.	Name of Project	Expansion-Cum -Modernisation of Residential Construction project at Koragao Park by Vascon Engineers Ltd. (Violation Project)	
3.	Project category	8a (B2)	
4.	Type of Institution	Private	
5.	Project Proponent	Name	Vascon Engineers Ltd.
		Registered office address	Vascon Weikfield Chambers, Opposite Hotel Hyatt Regency, Pune-Nagar Road, Viman Nagar Road, Pune-411014
		Contact Number	9822206391
		e-mail	pranoti@vascon.com
6.	Consultant	EMP Consultants: Sneha Hi-Tech Products, Bangalore Pune as accredited consultants (vide accreditation no.: NABET/EIA/2124/RA 0235 valid till 15th February 2024) (The scope of consultancy is limited only to preparation of Environmental Management Plan in accordance with EIA amendment notification dated 3rd March 2016)	
7.	Applied for	Expansion Cum Modernisation	
8.	Details of previous EC	Previous EC vide no. SEAC-2010/CR.669/ TC .2 Dated20/01/2012 (Expired)	

9.	Location of the project	FP No.331 Sangamwadi, T.P. Scheme, North Main Road, Koregaon Park, Pune-411001					
10.	Latitude and Longitude	Latitude : 18°32'19.51"N Longitude: 73°53'44.68"E					
11.	Total Plot Area (m ²)	19,191.73					
12.	Deductions (m ²)	903.10					
13.	Net Plot area (m ²)	18288.63					
14.	Proposed FSI area (m ²)	26400					
15.	Proposed Non FSI area (m ²)	27600					
16.	Total BUA (m ²)	54000					
17.	TBUA (m ²) approved by Planning Authority till date	54000 SQM as per the sanction plan no. CC/2952/17 dated 06/02/2018					
18.	Ground coverage (sqm) & %	7028 sqm and 36.62 %					
19.	Total Project Cost (Rs.)	193 Cr (Expansion Project Cost= 20 Cr)					
20.	CER as per MoEF& CC circular dated 01/05/2018	Activity	Location	Cost (Rs.)	Duration		
CER Activity will be done as and if required as directed by SEAC.							
Details of Building Configuration:							
21.	<Please use following legends: Floor = F , Parking = Pk, Podium = Po, Stilt =St, Lower Ground = LG, Upper Ground = UG, Basement = B, Shops = Sh>						
	Previous EC/Existing Building			Proposed Configuration		Reason for Modification /Change	
	Bldg. Name	Configur ation	Ht. (m)	Bldg. Name	Configur ation		Ht. (m)
	2 Residential Buildings (Each B+22 and Ht 69.8m)			Tower I	B+22	69.8	Construction Completed
				Tower II	B+22	69.8	
	1 Commercial Building			Villa 1	B+G+2	11.7	Changes due to changed market situation
				Villa 2	B+G+2	11.7	
				Villa 3	B+G+2	11.7	
				Villa 4	B+G+2	11.7	
	Club House	G+1	7.50	Club House	G+1	7.5	Construction Completed
22.	Total No. of Tenements	76 tenements + 4 Villa					
23.	Water Budget	Dry Season (CMD)		Wet Season (CMD)			
		Fresh Water	36	Fresh Water	36		
		Recycled	43	Recycled	18		
		HVAC	0	HVAC	0		
		Swimming pool	2	Swimming Pool	2		

		Flushing	18	Flushing	18
		Total	79	Total	54
		Wastewater generation	50	Wastewater generation	50
24	Water Storage Capacity for Firefighting / UGT	UGT - Domestic water tank : 100 KL Raw water tank : 30 KL Fire water tank : 300 KLD Treated water Tank : 75 KLD			
25	Source of water	Pune Municipal Corporation			
26	Rainwater Harvesting (RWH)	Level of the Ground Water	Summer- 11.50 m (Average) Winter- 8.84 m (Average) Monsoon- 6.17 m (Average)		
		Size and no of RWH tank(s) and Quantity:	NA as no tank is proposed		
		Quantity and size of recharge pits:	4 No. RWH pits (2.50 m X 2.50 m X 2.00 m)with 6" dia. 30 m to 60 m deep bore well via 1 no. of 0.9 m dia. 1m deep de siltation pit & 2 No. RWH pits (2.50 m X 2.50 m X 2.00 m)with 6" dia. 30 m to 60 m deep bore well via 2 no. of 0.9 m dia. 1m deep de siltation pit with O & G trap.		
		Details of UGT tanks if any:	As per point no. 24		
27	Sewage and Waste water	Sewage Generation (CMD)	50 CMD		
		STP technology	MBBR		
		Capacity of STP (CMD)	60 CMD		
28.	Solid Waste Management during construction phase	Type	Quantity	Treatment / Disposal	
		Dry Waste	14 KG	Through authorized vendor	
		Wet waste	32	Organic waste composter	
		Construction waste	1% of raw material	For filling on same site	
29.	Solid waste Management during Operation phase	Type	Quantity	Treatment / Disposal	
		Dry Waste Kg/day	80	Through authorized vendor	
		Wet waste Kg/day	120	Organic waste composter	

		Hazardous waste	NA	NA
		Biomedical waste	NA	NA
		E- waste Kg/year	200	Through authorized vendor
		STP sludge Kg/day	23	Organic waste composter
30.	Green Belt Development	Total RG area (m2)	1861.15	
		Existing trees on plot	78	
		Number of trees to be planted	66	
		Number of trees to be cut	0	
		Number of trees to be transplanted	0	
31.	Power requirement	Source of power supply	MSEDCL	
		During Construction Phase (Demand Load)	45 KW	
		During Operation phase (Connected load)	2379 KW	
		During Operation phase (Demand load)	1134 KW	
		Transformer	630 KVA X 2 Nos.	
		DG set	750 KVA X 2 Nos.	
		Fuel Used	Diesel	
32.	Details of Energy Savings	Details	Savings (units/ annum)	
		Common area lighting	79124	
		Parking area lighting	96360	
		External area lighting	41281	
		Buildings Solar PV system	60750	
		Solar Water Heater	53010	
33	Environmental Management	Type	Details	Cost (lakhs)

	plan budget during construction phase	Capital	Erosion control, Site Safety, Site Sanitation, Disinfection & Health check up, Environmental Monitoring	7.0	
		O & M cost	Erosion control Site Safety Site Sanitation Disinfection & Health check up Environmental Monitoring	1.0	
		Component	Details	Capital Cost (Lakhs)	O & M Cost (Lakhs)
		Storm Water	Network upto final disposal point	3.50	0.50
		Sewage Treatment	Installation of STP	18.50	2.00
		Water treatment	Disinfection treatment	--	--
		RWH	Bore holes and pits	5.50	0.50
		Swimming pool	Construction & Equipment	40.00	5.00
		Solid waste	OWC Machine	6.00	1.00
		Hazardous Waste	--	--	--
		E waste	--	--	--
		Green belt development	Plantation of trees and Maintenance	86.50	5.00
		Energy Saving	Solar Equipment	56.50	1.00
		Environmental Monitoring	Monitoring and analysis of air, water, soil & noise	1.50	2.00
		Disaster Management plan	Fire Fighting System	610	25
34	Environmental Management plan budget during construction phase				
35.	Traffic Management	Type	Required as per DCR	Provided	Area of parking (m ²)
		4-Wheeler	253	311	3887.5

		2-Wheeler	169	169	507
		Bicycles	169	169	192.66
36	Details of Court cases/ litigations w.r.t. the project and project location if any	No such cases till date			

The proposal is appraised as category 8(a) B1.

SN	Details	Previous EC – SEAC- 2010/CR.669/TC.2 dated 02 January 2012	Total After Expansion	Remark
1.	Site address	FP No.331 Sangamwadi TP Scheme, North Main Road, Koregaon Park, Pune 411001		No Change
2.	Project Proponent	Vascon Engineers Ltd.		No Change
3.	Plot area (sqm)	19,191.63		No change
4.	FSI area (sqm)	26,702.14	26,400.00	(-) 302.14
5.	Non FSI (sqm)	15,824.22	27,600.00	--
6.	Built up area (sqm)	42,526.63 (Excluding Parking) Parking area 19,093	54,000 (Including Parking) Parking area =12,102.52	Parking area reduced (-) 6990.48
7.	Building Configuration	2 Residential Buildings	Tower I – B +22 Tower II – B +22	No change (Buildings completed)
		1 Commercial Building	4 Villas – B+G+2	1 Commercial building replaced with 4 Villas
		Club House- G +1	Club House -G+1	No change (Completed)
8.	Plinth Area (sqm)	8318	7028	(-) 1290
9.	Tenements	80	76 + 4 Villas	No change
10.	Estimated Population	Residential: 665 Commercial: 661	Residential: 400	Residential: (-) 265
11.	Parking area (sqm)	19,093	12,102.52	(-) 6990.48 (2 parking levels omitted)
12.	No. of car	418	311	(-) 107
13.	No. of Two wheeler	850	169	(-) 681
14.	No. of cycles	319	169	(-) 150
15.	Fresh Water (KLD)	73	36	(-) 37
16.	Wet waste (kg/day)	200	120	(-) 80
17.	Dry Waste (kg/day)	166	80	(-) 86
18.	Connected Load	1750 KW	2379 KW	(+) 629 KW

19.	No. of Transformer	630 KVA X 3	630 KVA X 2	--
20.	No. of DG Sets	630 KVA X 3	750 KVA X 2	(-) 390 KVA
21.	Landscape area	3151 sqm	4147 sqm	(+) 996 sqm
22.	No. of new Trees	115	144	(+) 29
23.	EMP – Capital cost	1.85 Cr	2.18 Cr	(+) 0.33 Cr
24.	EMP- O & M cost	7.05 lakhs	17.00 lakhs	(+) 9.95 lakhs

3. Proposal is an application under MoEF&CC OM dated 07.07.2021 as a violation proposal. Proposal has been considered by SEIAA in its 259th (Day-1) meeting and decided to accord Environment Clearance to the said project under the provisions of Environment Impact Assessment Notification, 2006 subject to submission of Bank Guarantee of Rs. 1.00 crore and penalty of Rs. 25.25 lakhs. Now, PP submitted the Bank Guarantee of Rs. 1.00 crore and penalty of Rs. 25.25 lakhs to Maharashtra Pollution Control Board on 30.11.2023 and 05.01.2024 respectively. SEIAA decided to grant Environment Clearance to the project subject to implantation of following terms and conditions-

Specific Conditions:

A. SEAC Conditions-

1. PP to explore to increase the solar energy saving.
2. PP to obtain revalidated the water NoC.
3. PP to submit the MoD NoC or CCZM map showing its non-requirement.
4. PP to provide minimum 30% of total parking arrangement with electric charging facility by providing charging points at suitable places. PP to ensure that this should be provided in AC/DC combination.
5. PP to ensure that, the water proposed to use for construction phase should not be drinking water. They can use recycled water or tanker water for proposed construction.

B. SEIAA Conditions-

1. PP to submit Bank Guarantee of Rs. 1.00 crore towards effective implementation of remediation plan and Natural and Community Resource augmentation Plan. PP to implement remediation plan and Natural and Community Resource augmentation Plan within 6 months from grant of this Environment Clearance. PP also to submit penalty of Rs. 25.25 lakhs.
2. Maharashtra Pollution Control Board to ensure that, action has been initiated against the PP under the Section 15 (read with Section 19) of Environment (Protection) Act, 1986 for violation provisions of EIA notification, 2006.
3. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
4. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
5. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA.III dt.04.01.2019.

6. SEIAA after deliberation decided to grant EC for – FSI –26338.16 m2, Non FSI- 27661.84 m2, Total BUA-54000.00 m2. (Plan approval No.CC/2952/17, dated- 06.02.2018)

General Conditions:

a) Construction Phase :-

- I. The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
- III. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- IV. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- V. Arrangement shall be made that waste water and storm water do not get mixed.
- VI. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
- VII. The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- VIII. Permission to draw ground water for construction of basement if any shall be obtained from the competent Authority prior to construction/operation of the project.
- IX. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- X. The Energy Conservation Building code shall be strictly adhered to.
- XI. All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- XII. Additional soil for levelling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
- XIII. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- XIV. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- XV. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- XVI. Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highways Department. The vehicle

shall be adequately covered to avoid spillage/leakages.

- XVII. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- XVIII. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- XIX. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

B) Operation phase:-

- I. a) The solid waste generated should be properly collected and segregated. b) Wet waste should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. And, no wet garbage will be disposed outside the premises. c) Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- II. E-waste shall be disposed through Authorized vendor as per E-waste (Management and Handling) Rules, 2016.
- III. a) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the MPCB and Environment department before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Necessary measures should be made to mitigate the odour problem from STP. b) PP to give 100 % treatment to sewage /Liquid waste and explore the possibility to recycle at least 50 % of water, Local authority should ensure this.
- IV. Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings. As agreed during the SEIAA meeting, PP to explore possibility of utilizing excess treated water in the adjacent area for gardening before discharging it into sewer line No physical occupation or allotment will be given unless all above said environmental infrastructure is installed and made functional including water requirement.
- V. The Occupancy Certificate shall be issued by the Local Planning Authority to the project only after ensuring sustained availability of drinking water, connectivity of sewer line to the project site and proper disposal of treated water as per environmental norms.
- VI. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- VII. PP to provide adequate electric charging points for electric vehicles (EVs).
- VIII. Green Belt Development shall be carried out considering CPCB guidelines including

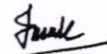
- selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- IX. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
 - X. Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes.
 - XI. The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at Website at parivesh.nic.in
 - XII. A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 - XIII. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sector parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

C) General EC Conditions:-

- I. PP has to strictly abide by the conditions stipulated by SEAC & SEIAA.
- II. If applicable Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.
- III. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
- IV. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
- V. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
- VI. No further Expansion or modifications, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the SEIAA. In case of deviations or alterations in the project proposal from those submitted to SEIAA for clearance, a fresh reference shall be made to the SEIAA as applicable to

assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.

- VII. This environmental clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this environment clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.
4. The environmental clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
5. This Environment Clearance is issued purely from an environment point of view without prejudice to any court cases and all other applicable permissions/ NOCs shall be obtained before starting proposed work at site.
6. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environment clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.
7. Validity of Environment Clearance: The environmental clearance accorded shall be valid as per EIA Notification, 2006, amended from time to time.
8. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.
9. Any appeal against this Environment clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1st Floor, D-Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.



Pravin Darade
(Member Secretary, SEIAA)

Copy to:

1. Chairman, SEIAA, Mumbai.
2. Secretary, MoEF & CC, IA- Division MOEF & CC
3. Member Secretary, Maharashtra Pollution Control Board, Mumbai.
4. Regional Office MoEF & CC, Nagpur
5. District Collector, .
6. Commissioner, Municipal Corporation
7. Regional Officer, Maharashtra Pollution Control Board,.



Validity unknown

Digitally signed by: Shri Pravin C. Darade, I.A.S.

Designation: Member Secretary

Date and Time: 27/9/2024 1:00:15 PM



VASCON

EXTRACT FROM THE MINUTES OF MEETING OF VASCON ENGINEERS LIMITED HELD THROUGH VIDEO CONFERENCING ON THURSDAY, NOVEMBER 05, 2020 AT 1158 HOURS

TO AUTHORISE MR. SOMNATH BISWAS OR MR. ABHIJEET PIMPLE TO REPRESENT THE COMPANY IN COURT CASES

“RESOLVED THAT the consent of the board be and is hereby accorded to appoint Mr. Somnath Biswas, Chief Financial Officer and/or Mr. Abhijeet Pimple, Authorized Signatory of the company be and are hereby jointly/severally authorized to represent, appear and act for and on behalf of the Company in the Court of Civil Judge Senior Division, Judicial Magistrate First Class, Additional District Judge and Sessions Judge, Sessions Judge, Debt Recovery Tribunal in the Suits, Criminal Cases, Appeals, Revisions, Applications, Writs and in all Revenue/ Competent Authorities.

RESOLVED FURTHER THAT Somnath Biswas, Chief Financial Officer and/or Mr. Abhijeet Pimple, Authorized Signatory of the Company be and are hereby further authorized to retain, employ any Advocate, Solicitor, to give instructions to them, to commence, initiate, institute, file suit, criminal cases, appeals, revision, applications, plaint, written statement, Vakalatnama, says, statements, petitions, affidavits, undertaking, Purshis, compromise Purshis, consent terms or any other relevant document memorandum of appeal, memorandum, letters, notices, suits or other legal proceedings prosecute, defend, make, sign, verify, affirm, transact, execute, server, receive or otherwise take part in as the nature or circumstances of the case may require, to issue/accept notices, summons, warrants, orders, objections, letters or other papers of any kind or nature whatsoever and to appear and give oral as well as written evidence in the Court of Civil Judge Senior Division, Judicial Magistrate First Class, Additional District Judge and Sessions Judge, Sessions Judge, Debt Recovery Tribunal, all Revenue/ Competent Authorities to execute the order of the Court on behalf of the Company and to obtain necessary interim, ad-interim orders, decree, judgments and to discuss for compromise it and to do all acts for implementation of the same and do all such acts as may from time to time be required and deemed to be necessary in the normal course of business of the said Company in respect of all suits/ complaints/ applications as mentioned hereinabove filed against the Company or filed by the Company, presently or in future.



VASCON ENGINEERS LTD.

Registered & Corporate Office: Vascon Weikfield Chambers, Behind Hotel Novotel, Opposite Hyatt Hotel, Pune Nagar Road, Pune Maharashtra, India, 411014
Tel.: +91 20 3056 2100/200/300, Fax: +91 20 3056 2600, Web: www.vascon.com

CIN: L70100PN1986PLC175750



VASCON

RESOLVED FURTHER THAT Somnath Biswas, Chief Financial Officer and/or Mr. Abhijeet Pimple, Authorized Signatory of the Company be and are hereby also authorized to pay any amounts or suit/ complaint costs, to withdraw any amounts, or to recover the same, on behalf of the Company.

RESOLVED FURTHER THAT Mr. Somnath Biswas or Mr. Abhijeet Pimple, Authorized Signatory of the company be and is hereby further authorized to file on behalf of Company; claims, review, applications, appeal in respect of any litigation, suit, complaint, petition, appeal, revision as referred hereinabove filed against the Company or filed by the Company, presently or in future.”

Certified to be true

For **Vascon Engineers Limited**

Siddharth Vasudevan Moorthy
Managing Director



Date: **May 02, 2025**

Place: **Pune**

VASCON ENGINEERS LTD.

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